

Contact Us
0845 610 0651

HR Helpline

Contact with HR Smart can be made via telephone, fax or e-mail.

We provide practical HR advice and answers to questions, as well as offering step by step solutions to your everyday requests.

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HR Support, whatever your concerns we can give you the legal and practical advice and support your Company needs and all for a guaranteed fixed fee.

In this Edition...

Here at HR Smart, we have had a busy summer of change, so in addition to our normal round up of HR and employment law, facts and tips, we shall be telling you all our exciting news.

Facts & Figures

FROM 1st October 2011

National Minimum Wage Hourly Rates

Aged 21 or over: Increases from £5.93 to £6.08 per hour
Aged 18—20 : Increases from £4.92 to £4.98 per hour
16-17 year olds: Increases from £3.64 to £3.68 per hour

Apprentices under the age of 19, or those over 19 but in their first year, will increase by 10p per hour to £2.60

UNTIL 5th April 2012

Statutory Sick Pay (SSP) £81.60 per week, payable up to 28 weeks

Statutory Maternity Pay (SMP) & Statutory Adoption Pay (SAP)

First six weeks: 90% of the employee's average weekly earnings, with no upper limit
Remaining 33 weeks: £128.73 or 90% of average weekly earnings, which ever is less, (subject to conditions)

Statutory Paternity Pay (SPP)

£128.73 or 90% of average weekly earnings, which ever is less.

A Quick Guide for Calculating Holiday

Working Pattern

Full time 5 days per week
Part time 4 days per week
Part time 3 days per week
Part time 2 days per week
Part time 1 day per week
6 days per week

Entitlement

5.6 weeks—28 days
5.6 weeks—22.4 days
5.6 weeks—16.8 days
5.6 weeks—11.2 days
5.6 weeks—5.6 days
5.6 weeks/28 days
the statutory max

Bank Holidays can be included in 5.6 weeks depending on wording in the employment contract.

Employment Statistics

CPI Inflation	4.4%
RPI Inflation	5.0%
Unemployment rate	7.9%

Tribunal Compensation Limits

Limits on Pay	£400 per week
Unfair Dismissal	£68,400

KNOW THE LAW—QUICK ROUND UP

Written Statement of the main terms of employment must be issued within first two months of employment, even when probationary periods are being served.

Recruitment, potential recruits have the right not to be discriminated against on grounds of sex, race, age, disability, sexual orientation, religion and belief, gender reassignment, marital status, pregnancy or maternity, regardless of whether they were invited to an interview or were offered employment.

Wages, it is unlawful to deduct money from an employee's wage unless legally required to do so, you have their written consent or it is a signed contractual term.

Notice periods, from the employer as a statutory minimum must be one week's notice, which then rises to two weeks notice after two full years of continuous employment, followed by an increase of one week for each completed year of service, capped at 12 weeks. There is no statutory minimum notice period from an employee, this is a contractual term only.

Flexible working can be requested by employees who have a child under the age of 16 or a disabled child under 18, once they have completed 26 weeks continuous service with the employer.

Dismissal, you must inform the employee of the problem in performance and/or conduct, let them know in advance the outcome could be dismissal, hold a meeting to discuss the problem, allow them to be accompanied by a colleague or union rep, decide on an appropriate outcome and provide the right of appeal.

Young workers, defined as over school leaving age of 16 and up to 18, have additional protection of employment, such as they can not work more than eight hours a day and 40 hours per week. These hours cannot be averaged over the working week. They must have a minimum 30 minute uninterrupted break after 4.5 hours at work. They must also have a rest break of 12 hours between finishing and starting work each day and have two days off out of seven each week.

QUICK TIP

A recent survey has found that companies and organisations that have proactive absence management systems and policies found that six weeks is the "tipping point" for absence intervention. Employees absent longer than this period, without any contact found the chances of an employee returning to work markedly decreased.

We are a
Human
Resource
Consultancy
specifically set
up to provide
support for
Small to
Medium Sized
Businesses in
all aspects of
people
management.
Contact HR
Smart
to talk through
any
employment
issues on
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Going for Growth

In recent weeks and months, HR Smart have been through lots of change in order to continue providing excellent support and services to our Clients. Whilst we don't usually like to spend time talking about ourselves, here is a snap shot of what we have been up to.

Sue Lucas, BA (Hons), MA & MCIPD

Sue has worked in Human Resources since 1998.

She gained her basic experience at East Sussex County Council where she was part of the Senior Management Recruitment team.

Subsequently Sue has worked on the Social Services team providing an HR service for the Adult Care section, dealing with Social Workers, Resource Officers and staffing in council run Care Homes.

After gaining her CIPD qualification, Sue moved on to work for a major national Pet Rescue charity. As the charity was run as a business, employees ranged from Vets, Accountants, Marketing Professionals and IT specialists to catering staff, shop assistants, maintenance staff and entry level office staff.

Sue was also responsible for the recruitment of employees across the charity and she also worked with Heads of Department assisting them with any human resources issues they had.

Before joining HR Smart in the summer of 2011, Sue worked as a self-employed HR Consultant helping small and medium sized businesses deal with and understand employment law and employee issues.

Sue is a member of her local Choral Society. She enjoys reading, loves anything to do with history and also enjoys eating out with friends. Sue has three adult children and a five-year-old grandson, Harry, who keeps her on her toes.

Jon Rush explains...

We are very proud of HR Smart's reputation and the quality of services we have provide since 2004. These have been noticed by some very notable businesses in Sussex. Over the years, we have had a number of approaches by businesses to ask if we would be able to help them provide an integrated service offering to their clients.

One partner that we have teamed up with this year is Sutton Winson Insurance Brokers, based in Burgess Hill, along with now being the recognised and only preferred Human Resources Supplier for Lancing Business Park. We are very pleased to be working with these organisations and we are sure that HR Smart can help them to provide their clients with a service that they can be proud of. However, our new growth plans have meant that we have outgrown our old business model and premises.

Heidi is always keen to explore all opportunities, but is always conscious to stick with the principles she set at the start, back in 2004. When reviewing business opportunities she wants to ensure that the Company is able to support all of its existing clients before taking any new work on.

To support this expected growth, we have set up a new company, called HR Smart Consulting LLP. This new Company will allow us to attract some of the very best talented consultants from the Sussex area to help us with our planned expansion. With no time like the present ringing in our ears, we are very pleased to announce that our first new consultant, Sue Lucas, joined us on the 16th August 2011.

In order to provide the services that our clients and business partners are now requesting of us, we have also moved to our new premises on Brighton Road, Lancing. This new location will give the Company a very good base to operate from and allow us to grow the business in the coming years.

Of course, our main priority is to ensure our existing clients continue to receive the highest standard of service. We are confident that they will find a very responsive service being provided under our new organisation. Lastly, we hope that they will continue to support us in the coming years and we wish to thank them for all of their ongoing support.

Should you wish to visit our new Office, meet with Sue and Heidi, or you wish to learn more about our changes, please contact heidi@hrsmartuk.co.uk

Snippets from the Press

Employers need to address the problem of the 5 year itch that seems four in ten employees plan to leave their jobs within the next five years. This is despite 68% of those surveyed claiming they like where they work.

42% of workers say they are dissatisfied with their career progress, but while 45% admit they could help their career by studying a professional qualification, only 12% are planning to do so.

ACAS has reported a 15% rise in demand for its conciliation services. Pay continues to be the main reason for disputes followed by redundancy.

EMPLOYMENT LEGISLATION UPDATE

Here is a short summary of some legislative changes which have taken place in 2011 as well as key proposals in the next 18 months.



Abolition of mandatory retirement

This is one of the truly significant developments in employment law in 2011, which involved repealing part of the age discrimination regulations,

which allow employers to retire employees on their 65th birthdays or at a later date provided they follow a set procedure. This means that dismissing someone simply on the grounds that they have reached 65 or for retirement will become a reason for unfair dismissal.

AMENDMENTS TO LEGISLATION ANNOUNCEMENTS

Right to request time off for training for organisations with more than 250 employees was introduced in April 2010. This made it a statutory right for any employee with more than 26 weeks continuous employment to be able to make one application in each 12 month period for time off for study or training. Employers are obliged to consider seriously requests that they receive, but are able to refuse a request where there is a good business reason for doing so. The plan to introduce this right into organisations with fewer than 250 employees has been delayed.

Another change in previously announced legislation, is the Coalition's decision to repeal the regulations that were planned for April 2011, whereby parents and carers of children aged up to 17 would have the right to request flexible working.

FUTURE PROPOSED LEGISLATION

The Education and Skills Act 2008 brings in legislation that from 2013 all young people in England are to participate in education or training until the age of 17. This will be further increased to 18 years old in 2015.

Sue's five top tips

1. **Contracts** – these are a legal requirement and must be issued within 8 weeks of starting but best to be issued on the first day.
2. **Job Descriptions** – not just for recruitment but a useful tool for appraisal and performance management.
3. **Manage absence** – don't let a culture of casual absence grow. Nip it in the bud and save your business thousands of pounds.
4. **Deal with disciplinary issues fast** – don't let them fester until you have a major incident to deal with.
5. **If you're not sure how to deal with employee matters or you are unsure of any legislative demands then ask for help.**

Additional paternity leave is the second major legal development of 2011. Originally set out in the Work and Families Act 2006, but delayed due to the recession.

From April 2011 this allows fathers to claim additional paternity leave (APL) in respect of any child born after 3rd April 2011.

Eligible fathers will now be able to take up to a maximum of a 26 weeks APL for the purpose of caring for the child. Essentially the mother will be able to return to work after taking the first part of their maternity leave, with the father being entitled to a second period known as APL, once the mother has returned to work. Therefore, APL is only open only to fathers whose wife or partner works.

The earliest APL can start is when the child is 20 weeks old so that a mother and father will not be able to take maternity leave and APL at the same time. APL will be paid at a flat rate that is equivalent to SMP for the portion of the APL which is taken during what would have been the remainder of the mother's paid maternity leave period. This will remain as we have listed in the Facts and Figures, on page one.

Rights for agency workers

The Agency Workers Regulations 2010 will come into force in England, and Scotland and Wales on 1 October 2011.

This will mean that agency workers who work continuously for the same employer for twelve weeks or more will gain the right to have the same pay, overtime, working time and holiday entitlements as equivalent permanent employees, as well as equal 'basic working and employment conditions'. It also includes bonuses or commissions which are payable on personal performance as well as discretionary payment, and the right to paid time off for ante-natal care.

Company cars and car cash allowances, sick pay, redundancy, pensions and private health insurance and other benefits in kind are excluded, with the exception of lunch-eon vouchers.

Not subject to the twelve week lead time and must be applied from day one, is the right for agency workers to be informed of any job vacancies relevant to them and ensuring that they have the same opportunities for progression as permanent employees. In addition, the agency workers will be entitled to equal treatment in the areas of:

- canteens,
- child care facilities,
- car parking, and
- transport laid on by employers.

Agency workers who are employed for a period of twelve months or more at the same organisation, will not be able to claim unfair dismissal or constructive dismissal as no change is planned to their existing employment status.

Our Ethos is to provide compliant, common sense and easy to follow Human Resources and Employment Law advice and support. We are actively trying to make as many business as possible legally compliant with a strong foundation to run their business. In the last eight years, we have provided services to many clients within a variety of sectors and industries.

The sectors we work in ranges from:

- Professional business services such as Accountants, Business Advisers, Insurance Brokers, Marketers and Financial Advisers
- Manufacturing, Waste Management & Recycling, Road Contractors
- Commercial and domestic trades such as Builders, Plumbing & Heating, Electricians, Garages and Vehicle Repairs
- Florists, Travel Agents, Estate and Letting Agents

As for our pricing structure, we **do not** charge based on the number of employees you have, but based upon each client's needs, budget and requirement. Where possible, we like to work to an agreed fixed fee rather than an hourly rate, so our clients can make contact when they need to and not be fearful of unknown charges.

If you have already had a service from us, you may want to look at further support in line with your business needs. Once your documentation has been created and/or updated, there's our Helpline Facility, which is an annual retained contract for unlimited telephone and email advice, starting from £395+VAT. For those of you who may want more hands on support, there's our Onsite HR Manager Service, whereby, we can visit you in your business and act as your HR Manager or provide additional support and expertise to your existing team. Prices for this service are based on the purchase of a package of time and billable on a on-twelfth basis. And let's not forget our **FREE** employment contract review service.

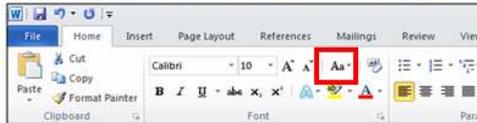
In this edition of Smart News, we are pleased to have our guest author, Lucy Ignatiadis, Training Specialist and MD of Iguana Business Solutions. Lucy's entertaining IT article is below.

Oops I left Caps Lock on.....

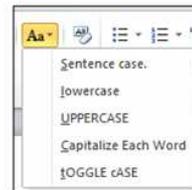
Ok so we've all done it, we are typing away, and unless we can touch type, invariably we are looking down at our keyboard as we type. Then suddenly YOU LOOK UP AND REALISE THAT THE LAST HALF A PARAGRAPH HAS BEEN WRITTEN IN CAPITAL LETTERS.

Ohhh what a pain!! We could delete it and start typing again, which if it's only a few words is a mild inconvenience but what if it was 3 or 4 sentences you needed to re-do? Now we're talking more than a mild annoyance. Well fear not you intrepid typists I have just the solution for you.....

1. Highlight the text and press SHIFT + F3, this toggles between, all CAPITAL LETTERS, all small case and all Title Case (first letter of each word a capital).
2. In Word 2010 and 2007 there is the lovely Change Case Icon **Aa** in the Font Group on the Home Ribbon:



Which gives you lots of different options to choose from to change case:



If you want to find out how you can learn more time saving tips like this call Lucy from Iguana Business Solutions on 01273 289 457 or email her on lucy@iguana-solutions.co.uk

If you would like to contribute an article to our newsletter or there is a particular subject you would like to learn more about, please drop your suggestions on an email to us on sales@hrsmartuk.com

Employees are your greatest assets...



is your business getting the most from this investment?

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provide human resources and employment law support, tailored to your company's needs to help you get the most from your employees and ensure you are legally compliant with all employment legislation.

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