

# Employment & Immigration Law Workshop

27<sup>th</sup> September 2022

## PRESENTER:

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# WHAT WE ARE COVERING

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1

Recruitment

2

On-boarding

3

Retention & Flexible working

4

Q & A

# Why Is This So Important?

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1. Inability to grow business if you cannot attract staff;
2. Inability to retain existing staff if there are shortages (higher risk of burnout and resignations);
3. The financial and reputational costs of inability to recruit and/or ***‘the revolving door’***



69%

...of Northern Ireland Firms believe there is a skills shortage in their organisation\*

# RECRUITMENT

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- ✓ Identify need in plenty of time
- ✓ Create an accurate job role/specification
- ✓ Ensure any advertisement is clear and non-discriminatory
- ✓ Equal Opportunities Monitoring – Registered Employers (11 or more Employees)
- ✓ Train staff involved in shortlisting, interviews, decision making & communications
- ✓ Have a clear procedure for shortlisting; identify fair selection criteria & use it
- ✓ Have a plan for interview and set questions
- ✓ Ensure all applicants receive a standardised outcome communication-in writing
- ✓ Maintain records
- ✓ Be consistent

# RISKS OF A POOR RECRUITMENT PROCESS

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- Failing to attract the right candidates
- Applicants disengaging before interview / not accepting your offer due to unprofessional, disorganised or delayed recruitment process
- Reputational damage
- Claims of discrimination in the recruitment process

# Consulate fined £2000 for discriminating against mother during job interview

31st May 2016

BY ANDREW LEARMONTH

Share   



Mother-o

THE Japa  
losing ar  
during a

**THE JC** THE JEWISH CHRONICLE The world's oldest Jewish newspaper. Since 1841.





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POLITICS ISRAEL WORLD

News

## Woman wins £16,000 damages after firm wouldn't hire her because she wanted to observe Shabbat

BY THE JC  
JUNE 01, 2015 16:02

# Interviewee, 67, denied job because of age discrimination

16 October 2018



# ON-BOARDING

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## What are the risks of poor on-boarding?

- Higher anxiety for new employee, direct impact on their productivity
- Suggests you do not prioritise your people or people management
- Risk new employee leaves due to disorganised on-boarding or miscommunications
- Risk of poor integration and destabilising existing staff

**Organisations with poor on-boarding programs have double the chances of experiencing employee turnover\***

\*Digitate Study



# ON-BOARDING - PROFESSIONALLY

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## Offer letters

Mainly used where an offer is conditional.

Ensure offer letters and any conditions are clear in their terms and made subject to the Contract of Employment.

## When should I issue a Contract of Employment?

The sooner the better. **Article 33 of The Employment Rights (Northern Ireland) Order 1996** provides that this must be done within two months of commencement. However there are risks with late contracts and candidates often seek it when considering an offer so have it ready!

# ON-BOARDING – PROVIDING THE CONTRACT

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## What should a Contract of Employment include?

**Basics** – names, dates of commencement, pay and pay intervals, hours, holiday, sickness provisions and pay, pension, notice, job title, whether permanent, location, any collective agreements, data protection/privacy notice, confirmation of being subject to disciplinary /grievance and provision for suspension or summary dismissal (but **not** full procedures).

**Additional clauses to protect your business** – probationary period, confidentiality, restrictive covenants, intellectual property rights, training clawbacks, garden leave and obligations on termination.

**REMEMBER** – get a signed contract back from your employee!

# ON-BOARDING – THE HANDBOOK

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## When do I provide a handbook?

*With* the Contract..... Why?

- It contains key policies and procedures and should form part of your HR pack for on-boarding
- The Contract will usually refer to it so if it isn't provided a candidate will likely ask for it

REMEMBER: a well drafted Handbook should *not* be contractual!

# ON-BOARDING – PRACTICAL TIPS

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- Have a planned induction and itinerary, issue this to the employee in advance of their start date so they know what to expect
- Organise something social in their first week e.g. a lunch with key colleagues
- Get the balance right- do not overload them in the first few days however make sure they feel they have a place in your business
- Ensure your other staff know they are starting

# RETENTION

## So... What does the departing employee cost you?

Scenario -30k p.a. employee who generates 60k p.a. turnover resigns-

→	Outgoing employee notice period	(3 months notice @50 % efficiency)	£7,500
	Recruitment fees	20% of £30k	£6,000
	Recruitment time of Key Staff	40 hours of lost productivity at a higher rate	£10,000
	Incoming Employee 'bedding in'	1 -3 months of lost productivity/duplication	£10,000
	Business reputational damage	Lost Turnover	£10,000
	<b>SUBTOTAL</b>		<b>£43,500</b>

Further resignations...?

# 5 Top Reasons Employees Leave (non-financial)?



# HOW TO IMPROVE YOUR RETENTION

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- Streamlined and efficient HR Management
- Consistent use of well drafted HR Policies and Procedures
- Regularly reviewing and updating Contracts and Handbook
- Flexible Working Policy application
- How to deal with employee unhappiness and complaints
- Mitigating risks of claims by taking legal advice when required
- Regularly monitoring employee happiness e.g. via anonymous surveys etc.
- Regular training

**THANK YOU**

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