



# Employment Law – Realise your staff potential!



**Over the last few months I have been conducting a Group Mentoring Employment Law Session with around a dozen delegates. These sessions highlight the benefits of the Mentoring programme for Chamber members.**

Our topics were chosen being relevant and topical to provoke engaging debate and discussion. Delegates came from a diverse range of organisations: public, private and third sector, each with a unique insight into people issues and employment law and practice.

The first session covered how employers can protect their organisation when an employee leaves, looking at what the law says about notice and the contract of employment, the thorny issues around garden leave and the extent to which provisions can be enforced that seek to restrict the ability of staff post termination (such as to compete or undertake other activities that could damage the organisation once the employee has left employment). Each employer has different challenges. We shared best practice together with practical tips and pointers that have been shown to work.

The next session explored managing disciplinary issues in the workplace which is always a popular and hotly contested issue. Each organisation has a different approach. Failure to manage such issues is problematic and a clear and consistent approach is needed to ensure staff act accordingly and risk is minimised. Ensuring legal issues are considered can be difficult in a fast paced working environment but doing so is vital to ensure litigation is avoided. Check out the ACAS Code of Practice in this area together with Guidance documents which give great practical guidance.

Our final session looked at the employment law developments over the year and the year ahead. The removal of fees (for the moment) to raise claims (etc) in the Employment Tribunal was perhaps one of the most significant developments which is likely to increase the amount of claims employers will have to face. That in itself ought to encourage employers to seek specialist employment law advice to manage the ongoing issues from recruitment to beyond the employment relationship. Employment status has also been a thorny topic together with the right to holiday pay and the potential right to backdate holiday pay claims to the commencement of work. The session also explored unfair dismissal and discrimination developments that affect employers on a day to day basis.

The Mentoring Programme provides a fantastic forum to meet experts and practitioners and to seek to realise the potential of staff at all levels. Employment law is a fascinating subject that is fast paced with complex issues arising almost on a day to day basis. Ensuring you are kept up to date and have a responsive



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(and good humoured) expert on hand to help negotiate the legal maze is extremely valuable.

There is no doubt that 2018 will continue to yield more case law and statutory developments in employment law. Failing to prepare is preparing to fail. Maybe treating yourself to a Christmas present of sound expert employment law advice and support will be the gift that keeps on giving. Here's to a successful and peaceful New Year: All the best in 2018.

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