



Are your HR and employment practices in good shape for 2018?

With the New Year underway, now may be the time to consider whether your current HR and employment practices are in the best shape possible for taking your business to where it wants to be during the next 12 months. Head of [Employment Law](#) at leading regional law firm Arbaaz Solicitors has a few suggestions of how to get your HR up to speed for a successful 2018.

Be proactive!

Do not underestimate the benefit of a review. Being proactive and ensuring that your HR and employment practices are relevant, fair and legally compliant can have multiple advantages such as increasing productivity and staff retention and reducing legal risks and overall costs.

Take the challenge

Carrying out a review may sound challenging but all you are aiming to do is understand whether the HR and employment practices are fit for purpose. All businesses will have a unique set of considerations in terms of operational and financial objectives for the next 12 months; these objectives are likely to determine the extent of the review.

Getting ready for a big event

[Organisational change](#) may already be at the top of the agenda for this year. If this is the case, it is unlikely “the people aspect” of your business can be ignored because it will be important to ensure that HR is aligned to your strategic vision for the organisation.

If the aim is to grow your business, your retention and recruitment practices may need to be considered to make certain that you will be able to keep hold of and attract the best talent. Employers wanting to gain advantage on competitors will recognise that opportunities could be lost if the focus is just on salary; some individuals place more importance on other factors such as progression, training, a supportive management culture and flexible working arrangements. To get the most out of the review these areas of the business will need to be scrutinised.

A period of consolidation may alternatively be on the agenda. This may involve changes to job functions, terms and conditions or even a reduction in headcount. In order to prepare for changes that will impact on the workforce a review of current policies, practices and contracts of employment ahead of the implementation stage is advisable; legal risks and any contractual inflexibility can be identified and addressed.

Focus on tackling problem areas

The trigger for the review may be limited to a specific problem that has been identified. For example:



- **An increase in employee complaints:** Behaviours within the business may be contributing to employee dissatisfaction. In order to minimise the risk of litigation, the causes need to be identified and addressed. Any review should also assess whether managers and supervisors are trained to know how to respond to avoid the problem escalating.
- **A down turn in productivity:** Performance management systems may be inefficient and/or not being fully implemented at the right time. This raises a number of questions including whether the design of the system is capable of delivering the results you are looking for and whether managers have been adequately trained to deal with poor performance.
- **A health and safety incident:** Such an incident is indicative of all parties not playing their role in promoting health and safety across the workplace. Incidents like this cannot be ignored as the duty of care to provide a safe place of work rests solely with the employer.
- **An inability to protect the business:** There is nothing worse than finding out on the departure of a key employee, who is joining a competitor, that the contract of employment does not contain effective clauses to protect confidential information, or other interests such as customer or client connections. Any audit should include a review of any post-termination restrictions.

All of the above are some examples of problems which would suggest the business is not functioning effectively in respect of its HR and employment practices. Unless addressed, these types of problems are likely to continue to be costly, time consuming and in some cases may result in litigation.

Keeping it simple

Outdated documents expose an employer to litigation risks. Your review may therefore simply be limited to ensuring policies, procedures and documents reflect recent legal developments. Documents that are regularly reviewed and refreshed will play a role in demonstrating legal compliance. A meaningful review should also assess whether your practices and documents continue to be relevant to your business, have been effectively communicated to staff and are uniformly enforced. This will ensure that staff comply with their obligations or deter them from bringing a legal challenge.

Remain proactive

Whatever the outcome of the review, it is important to be prepared to respond to your findings and take any necessary remedial action. Subsequent periodic reviews, particularly in response to commercial and legislative changes, will be key to maintaining business efficiency and ensuring that your policies and procedures will protect the business and provide the best use of your staff. Your review and the action you take will play a significant role in future proofing your HR and Employment practices.

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