

STAFF POLICY/HANDBOOK

It is desirable for a business to produce a staff handbook setting out rules and procedures which staffs need to know. A Handbook will help employees understand what is expected of them and how they should carry out their activities.

A Handbook should include clear policies on important employment matters. It should help the business identify and prevent potential risks to employees and ensure legal compliance.

Policies set out in Handbooks are not necessarily contractual binding, but they may give specific rights and responsibilities which are legally binding. The appropriateness of particular policies will depend on the size and nature of the business. For example, if dangerous equipment is used, there should be policies appropriate to it. Setting and keeping to appropriate standards will reduce the need for disciplinary and legal action. It should also increase productivity and morale.

Matters Covered

There is no fixed content for Handbooks, but the following matters are usually covered.

Procedures in respect of leave and absence should be set out. Working hours are subject to legal limitations and certain opt-outs may apply. There are no obligations to offer or require overtime but it is best practice to have policies that are handled effectively;

The law prohibits direct and indirect discrimination on grounds of sex, race, ethnic origin, nationality, disability, sexual orientation, religion, belief, age, colour, status, pregnancy, childbirth, whether or not a person is a member of a trade union. Some businesses do more and promote diversity. An equality policy shall describe how employers, managers and staff can participate in commitment to diversity within the organisation and towards

customers, suppliers and the community. A policy on equal opportunities demonstrates commitment to preventing discrimination.

Encouraging good health and safety practice can and should go beyond complying with minimum legal requirements. There are legal obligations to assess health and safety risks in the workplace. The smoking ban in working premises and vehicles has been mandatory since 2nd April 2007 in England. There are minimum levels of hygiene and comfort. It is necessary to report serious health and safety incidents. It is a legal requirement to consult employees regarding health and safety issues in the workplace and to make sure that they are aware of the policies.

Disciplinary and dismissal rules and grievance procedures must be set out in writing. These can be incorporated in a contract, handbook or a separate written statement. Failure to record the procedures in writing could lead to an additional award in an unfair dismissals proceedings.

Guidelines on whistle blowing should promote a culture where employees raise concerns internally rather than outside the business.

It is desirable to have clear policies on harassment and bullying. It is desirable to ensure that employees are aware of the standards of behaviour that are expected. The rules should specify clearly what type of behaviour constitutes gross misconduct for which employees may be dismissed without notice.

It makes good business sense to set out business expectations on more general issues such as confidentiality, copyright designs, internet and email use, dress code and company facilities in a handbook.

Having a training policy will enable an employer to ascertain any skills shortfalls. This is mutually beneficial to employers and employees and can have a positive impact on business performance.

An appraisal system is another way of improving business performance. It represents a good opportunity to discuss with individual employees their strengths and weaknesses.

Format of Handbook

Staff policies can be circulated in a number of ways. The following are possibilities:

- notice board
- company internet
- presentations
- staff handbook
- collective agreement
- email
- written documents

This Guide is intended as an overview and broad outline of the matters covered in it. Its purpose is to inform and raise awareness. We are happy to offer specific legal advice on particular circumstances.

This Guide should not be relied on as a substitute for comprehensive legal advice with reference to the particular circumstances.

While we have taken due care in the preparation of this publication, we do not accept legal liability as a result of any reliance placed on anything in this Guide. The reader should rely only on specific legal or taxation advice.