

# employment update



## What is being published about your Company that you don't know about? How many of your people regularly use Facebook and Twitter?

Contrary to popular belief the main risk to your business is not employees accessing social networking sites when they are at work, it is what they say when they are on there and how it could impact your reputation.

Did you know that since 2005 Facebook has reduced its standard privacy settings dramatically, allegedly to reflect society's increasingly open approach?

What this means in reality for your business is that as the majority of users do not amend settings everything your staff say and do on these sites and photos that they publish can be referred back to you as soon as they mention where they work.

But what can you do about protecting your organisation from this risk?

- Ensure that staff are aware of the risks via awareness training, handbooks and induction training
- Ensure staff are aware of their ability to limit access – something like 60% of people don't change the standard settings
- Ensure you have a policy that makes people aware of the checks that are done internally and the consequences
- Do the checks!
- Run routines regularly to ascertain what information is out there in the public domain (Facebook, Twitter, LinkedIn etc)
- Keep abreast of changes – high levels of Twitter and Facebook activity is via mobile devices such as smart phones and iPads etc

- Be aware of areas such as cyber bullying when checking data and address as appropriate

Yes, you can expect your staff to be circumspect when 'publishing' on the web.

Yes you can do checks on what they are writing and follow up if anything is identified as bringing the company risk.

Yes you can follow up with actions if the infringement is serious.

We have seen a steady increase in ER cases involving Facebook and Twitter with our clients in recent years – this is a trend set to increase as the technology races ahead.

- Are you ready to address the issues in your company?
- Is your company at risk?
- Are you ready to cope with the next generation of employees who have grown up with a mobile device in their hands?

## Pensions at work: Auto enrolment

From 1st October 2012 all eligible workers will have to be auto enrolled into a pension scheme of the employer's choice.

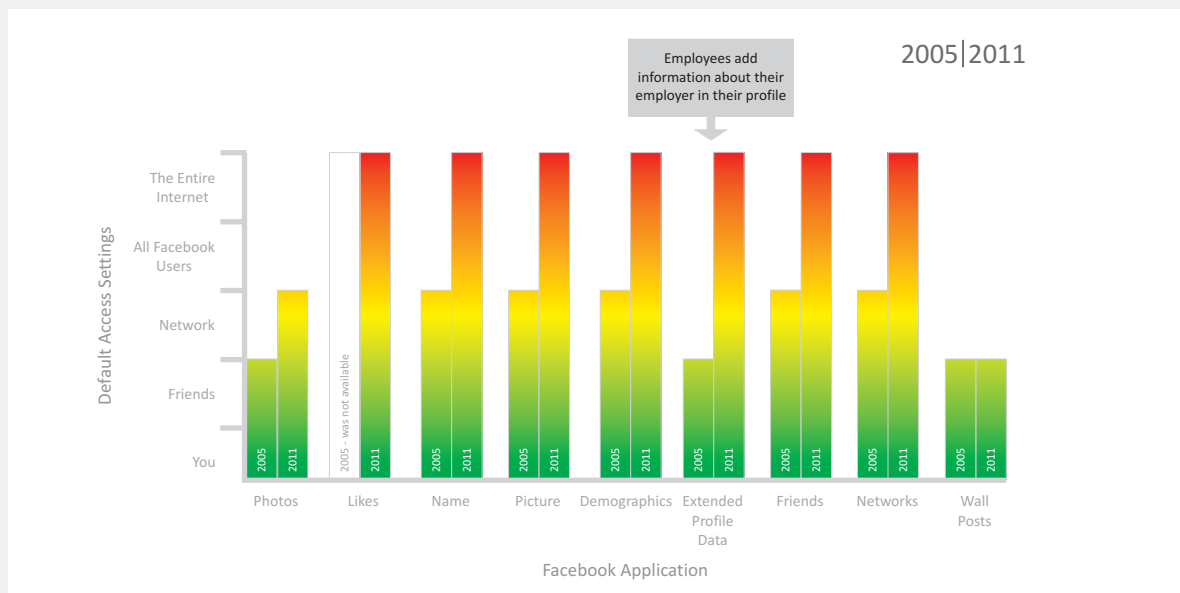
# 3%

is the minimum contribution an employer will have to make towards a defined contribution scheme

# 22 years

is the age from which employees who meet all the requirements become eligible for auto enrollment

Call Outset now on 01622 759900 for advice on how auto enrolment will affect your organisation



## Stress at work:

### European Social Partner's Framework on Work Related Stress



Stress is not a new problem nor is the legal duty under the Health and Safety at Work Act 1974 for employers to ensure the health, safety and welfare at work of its employees.

In addition in 2004 a European Social Partner's Framework on Work Related Stress was agreed. The aim of which was to increase employers understanding of work related stress.

In response to this Framework the Health and Safety Executive ("HSE") produced Management Standards to act

as a guide for employers on how to deal with this issue. These standards look at the demands made on the employees; the level of control employees have over

their work; the support employees receive from managers; the clarity of an employee's role within the organisation; the nature of relationships at work; and the way that change is managed. In order to achieve the required standards the HSE have published five suggested stages.

There are of course many benefits for an employer to prevent and tackle work related stress. However the underlying principle is that an employer has a legal obligation to take work related stress seriously. It is

important to note that the HSE does have the power to take action against employers who do not take steps to follow the Management Standards it has produced. Therefore no matter the size of the organisation efforts must be made to introduce such standards.



## Stress at work: HSE Statistics

According to the Health and Safety at Work Executive (HSE):

# 400,000

cases of work related stress were reported in 2010/11

The industries reporting the highest rates of work-related stress over the past three years are public administration, education, social work and health

Call Outset now on 01622 759900 for advice on how to manage employee stress in the workplace

## Staff profile

Client ER Services Manager



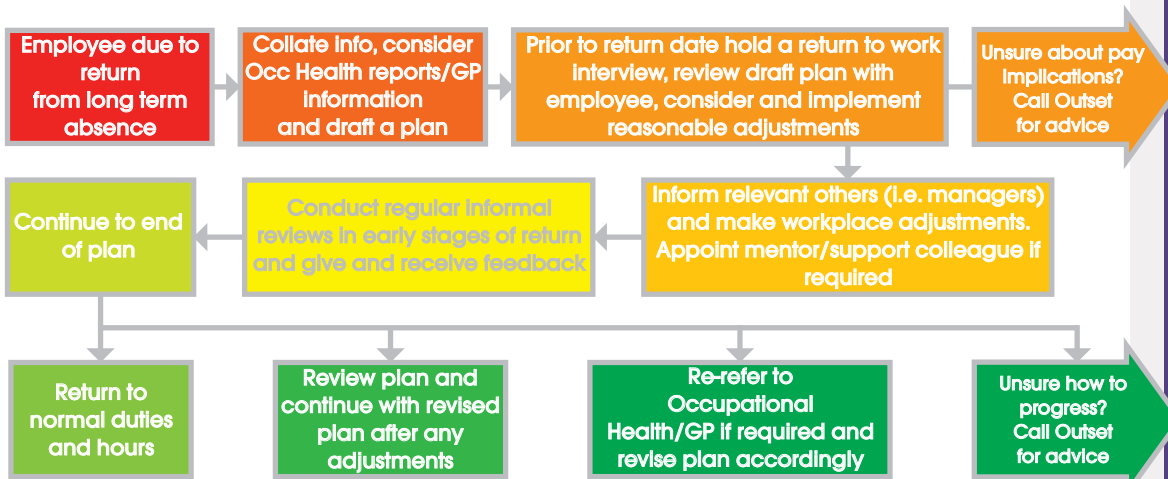
**Kevin Nolan**

Kevin has experience of providing first line expertise and advice across the full range of employment relations issues.

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## Best practice: Managing a phased return to work



## Recent employment tribunal decisions...

| Decision   |
|--|
| <b>Holiday Pay and Sickness Absence</b> - The EAT has handed down its judgment in the case of <i>Frazer v Southwest London St. George's Mental Health Trust</i> . An employee who is on sick leave must give notice to their employer that they wish to take annual leave in accordance with Regulation 15 Working Time Regulations, to be entitled to payment for it.   |
| <b>Termination of Employment</b> - When considering an appeal against dismissal, the EAT decided that an employer was entitled to find that a dismissal was fair on entirely different grounds from the original decision to dismiss in the case of <i>Perry v Imperial College Healthcare NHS Trust</i> .   |
| <b>Reasonable Adjustments</b> - The EAT held that there does not necessarily need to be a 'good' or 'real prospect' of an adjustment alleviating the disadvantage suffered by a disabled employee, for that adjustment to be a reasonable one in the case of <i>Leeds Teaching Hospital NHS Trust v Foster</i> . A real prospect of an adjustment removing a disadvantage is sufficient to make an adjustment reasonable, however an adjustment may still be reasonable even if there is less of a chance of it removing the disadvantage. |

# outset

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The information contained in this update is intended as a general review of the subjects featured and detailed specialist advice should always be taken before taking, or refraining from taking any action.