

FIVE Employment Law Tips to reduce risk to your business

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Right to Work in UK Checks

- **BEFORE** you employ them – first day?
- See originals | Check | Copy
- Avoid discrimination
- No ‘reasonable cause to believe’ 5 years imprisonment and unlimited fine - criminal
- Civil penalty £20k for each illegal worker
- GOV.UK



Written statement of T&Cs

- Obligation to provide certain information within **two** months of employment
- Include provisions to protect the employer
- Update regularly or when role changes & check the T&Cs are still appropriate
- Failure to provide can ask ET for a declaration and piggy-backed on a successful claim 2 – 4 weeks' gross pay (capped)
- From 6/4/2020 applies to **'workers'**





Risk Assessment

- Must be in **writing** if you have five or more employees
- Special considerations for young workers
- “...women of child-bearing age to do work of a kind that could involve risk to the health and safety of a new or expectant mother or her baby, from any processes ... must include an assessment of those risks in its risk assessment...”
- Review regularly and when informed of pregnancy
- HSE.gov.uk

'GIG' Economy



- Employee Vs Worker
- Zero Hours contracts - exclusivity clauses unenforceable (preventing the worker working elsewhere)
- 2 years employment to claim unfair dismissal
- Worker = Working Time, NMW, discrimination and whistleblowing



Practical Steps

- Keep records – doesn't have to be a paper file, but you need to access it (text messages etc)
- Email is fine
- GDPR follows on... be compliant
- Follow ACAS Codes and Guidance – [acas.org.uk](https://www.acas.org.uk)
- Address issues – don't let them fester



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