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C O N S U L T A N C Y December 2024



How will you ensure acceptable conduct at the Christmas party?

This year I supported two clients with sexual harassment claims as a result of inappropriate behaviour at the Christmas party in December.

The Christmas party is always a conundrum. It's a great way to show your employees that you appreciate their hard work, but it can be a recipe for disaster especially when alcohol is added into the mix.

I like a party as much as the next person but am also very aware of the risks involved for employers where they are found to be vicariously liable for the actions of their employees at office parties, if those actions are deemed to have been committed in the course of employment.

So, what can employers do?

Under the new Worker Protection Act, employers have a specific duty to prevent sexual harassment of employees. In advance of office parties, employers should take all reasonable steps to prevent employees

from carrying out particular acts. This could be in a policy on conduct at work-related social events and supported by proactive employment practices that reflect a zero-tolerance approach. Employers could also send all staff an email or letter inviting them to the Christmas party which sets out the standard of behaviour expected and what kinds of behaviour are unacceptable.

At the office party itself, you could designate managers to be in charge of monitoring the activities of staff and their intake of alcohol. These managers should advise serving staff to ensure that employees who have had too much to drink are refused further service. They might even have to be prepared to ask an employee to leave.

Employers will not have much of a defence if they have turned a blind eye to an employee becoming completely inebriated or indeed if they have even encouraged it by providing a free bar.

This month I'm talking about how to resolve workplace disputes through mediation and looking ahead to employment law updates for 2025!

In this December newsletter my aim is to share experiences along with best practice HR and employment advice.

You can also request an initial free 30-minute consultation to see if I can help you.

Please contact me using any of the methods listed below. I would love to hear from you!

hr2go Consultancy is here to support you with any of your HR issues or concerns



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How to resolve workplace disputes through mediation

Most HR professionals dislike the grievance process. If a company can resolve a dispute informally then ideally, they should have done it before it has got to the grievance stage. Workplace conflict can be detrimental to business in a number of ways and the benefits of using mediation to resolve disputes can be far-reaching.

I have been an accredited and certified workplace mediator for over a year now and cannot enthuse more about the mediation process! Mediation focuses on the interests of the parties to the dispute, helping to address their differences productively through dialogue.

As an HR professional it is inbuilt in me to investigate and find a solution but that's not what mediation is about. As a mediator it is your responsibility to facilitate the mediation process to encourage the parties to a dispute to resolve their conflict and empowers them to become accountable and responsible for the outcome of the process.

Mediation lends itself to addressing many of the common conflicts that exist in the workplace and encourages the employer to maintain the welfare of its employees.



Some of the many benefits include:

Time

Workplace disputes can be time consuming, often involving days or weeks of employees' working time. Many people can be directly involved in a conflict or in trying to resolve it. Managers, HR professionals and legal departments can be drawn into the conflict, to help seek an outcome to the dispute. As an HR consultant I could probably earn more money doing a grievance investigation than I can a mediation, but that's not the point! Grievances don't resolve issues - they make them worse.

Productivity

Disputes can distract colleagues and team members on the periphery. Employees' working time can become dominated by a conflict, if they spend time discussing it or simply thinking about it. As a result, people are less productive and effective.

Health

It is not uncommon for employees involved in workplace conflicts to suffer stress-related illnesses. As a consequence, they may need time outside the workplace to recover. Their colleagues may be burdened with handling an excessive workload, and may develop resentment towards those who are absent.

Decisions

People involved in a dispute can act in a way that generates negative consequences. This behaviour is unintentional however an employee involved in a dispute may make decisions that are not in the best interests of the organisation.

What's on the agenda for 2025!

2025 is going to be a busy year for employment law updates.

Here's a summary for employers on the top upcoming employment laws and regulations, with some effective dates.

National minimum wage rates increase 1st April 2025

The rate for workers aged 21 or over (the national living wage) increases to £12.21 per hour (previously £11.44). The rate for workers aged at least 18 but under 21 increases to £10.00 per hour (from £8.60). The rate for workers aged 16 to 17 increases to £7.55 (from £6.40). The apprentice rate increases to £7.55 (from £6.40).

Increase in employer NICs and changes to employment allowance - 6th April 2025

As announced in the Autumn Budget 2024, the rate of employer national insurance contributions (NICs) increases from 13.8% to 15%.

The secondary threshold, at which employers become liable to pay NICs reduces from £9,100 to £5,000 until 5 April 2028. After this date the threshold will be uprated in line with the Consumer Price Index.

The employment allowance, which entitles employers to claim money off their liability for employer NICs, increases from £5,000 to £10,500 and the £100,000 eligibility threshold for employment allowance is removed.

Statutory maternity pay and other family-related statutory pay rates increase - 6th April 2025

The rates of:

- statutory maternity pay;
 - statutory paternity pay;
 - statutory adoption pay;
 - statutory shared parental pay; and
 - statutory parental bereavement pay
- increase from £184.03 to £187.18 per week.

The earnings threshold for these benefits increases from £123 to £125.

Neonatal care leave and pay - expected April 2025

The Neonatal Care (Leave and Pay) Act entitles eligible parents to take up to 12 weeks' neonatal care leave if their baby requires neonatal care. They will also be entitled to neonatal care pay if they meet further eligibility requirements. This entitlement is in addition to existing entitlements such as maternity leave. Regulations are required to bring the Act into force. The previous Conservative Government indicated that it planned to introduce neonatal leave in April 2025. It is not yet known if the Labour Government will adhere to this timetable.

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