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C O N S U L T A N C Y

March 2024



How to demonstrate a commitment to gender equality

On this International Women's Day (IWD), how is your company demonstrating its commitment to gender equality, diversity and inclusion? Do you recruit, retain and progress female talent within your workplace? Do you promote equality for women?

A workplace should be inclusive of all people regardless of their sex or gender. There is evidence to show that many of the obstacles to achieving inclusion have a disproportionate impact on women. Employers can focus on addressing the key barriers that women face in entering and progressing in the workplace and help address gender bias.

How do employers do this?

Train senior managers, line managers and employees, on their legal responsibilities in terms of sex discrimination, pregnancy and maternity discrimination, harassment and victimisation. Raising awareness of conscious and unconscious gender bias,

and how this can occur in the workplace. Equality training can minimise the potential for workplace conflict that can arise from misunderstandings and stereotypes and engender an atmosphere where all employees are treated with respect. This is particularly important for managers, because gender bias can have an influence on their decision-making, for example in the context of interviews or performance assessments.

Women should be represented in board positions and executive roles, as there is evidence that gender-diverse boards have a positive impact on organisational performance. The approach to succession planning and talent management is critical to developing future women executives. If employers are recruiting talented men and women, they should progress through the organisation in proportionate numbers. Employers need to adopt a strategic approach to advancing EDI.

This month I'm talking about my passion for understanding about neuroinclusion and the benefits for the workplace.

In this March newsletter my aim is to share experiences along with best practice HR advice. I also tackle the most popular HR questions on holiday pay and carers leave.



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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The benefits of a neuro-inclusive workplace

The CIPD have produced a report which makes the case that neuroinclusion should be part of a company's equality, diversity and inclusion (EDI) strategy and that it is vital to the future of work.

Many of those that read my posts know that neurodiversity is close to my heart and through that desire to understand more from a personal perspective has led to a further interest in how organisations are tackling neurodiversity at work.

There is clear rationale for neuroinclusion to be a key part of an organisation's equality, diversity and inclusion efforts as well as its wellbeing approach. Typically, very few organisations are thinking about neurodiversity or neuroinclusion. This represents a significant missed opportunity for organisations looking to address their key talent priorities at the same time as addressing inequalities at work faced by neurodivergent people. Pursuing equality of outcomes for all is simply the right thing to do.

Neurodiversity is the natural variation in human brain functioning - people literally think differently. The term neurodiversity refers to the infinite range of differences in individual human brain function and behavioural traits. There are massive benefits of a neurodiverse workplace, and the strengths and skills people with a neurodivergent condition can bring to your organisation.



Does neuroinclusion matter to your workplace?

Facing skills shortages, organisations need to think more inclusively about how they recruit and retain talented people. In addition, the business case for EDI has highlighted the importance of 'diversity of thought'.

It is important for employers to educate themselves on the different neurodivergent conditions and how they can present in the workplace and authentically promote their organisation as a neurodivergent-friendly, inclusive employer, which can in turn help to attract top talent.

Employers should regularly check in on an employees' mental and physical health as their support needs at work may change. Many neurodivergent people "stim" to help regulate emotions, as well as "mask" their neurodivergence to fit into the neurotypical world. They tend to adopt conscious and unconscious coping strategies that can cause stress and tiredness. Spending day after day at work not being your authentic self, in effect role-playing, can be exhausting for those who are neurodivergent. Employers should look for signs of this as it may be an indication of overwhelm or potential for overwhelm and that extra support or reasonable adjustments are required.

Employers also need to be aware of their duties under the Equality Act. Neurodivergent conditions are widely considered as non-visible or "hidden" disabilities. This could mean that someone's neurodivergent condition qualifies as a disability under the legislation and that they will be protected from discrimination at work.

Your top HR questions answered!

When do the changes to holiday entitlement and pay for irregular hours and part-year workers come into effect?

There are a range of employment law developments coming up in April this year, including changes to the calculation of holiday entitlement and pay for irregular hours and part-year workers. On 1 January 2024, the Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023 came into force and amend the Working Time Regulations 1998. Rolled-up holiday pay will be allowed for irregular hours workers and part-year workers (paying an additional amount representing holiday pay for each pay period throughout the year, instead of paying holiday pay at the time annual leave is taken). Holiday entitlement for irregular hours workers and part-year workers will be calculated using an accrual method during the first year of employment and beyond. Entitlement will accrue at 12.07% of hours worked in a pay period.

Changes to holiday entitlement and pay for irregular hours and part-year workers come into effect for holiday years beginning on or after 1 April 2024. This means that if an employer's holiday year runs from 1 January, for example, the changes will not apply until 1 January 2025.

Will an employer be able to require any evidence from an employee who requests to take statutory carer's leave?

Another change coming into force in April is the introduction of statutory carer's leave. The Carer's Leave Regulations 2024 explicitly prohibit an employer from requiring an employee to provide evidence to support their request for carer's leave. The Regulations are in force from 6 April 2024. Employers must not, under any circumstances, require an employee to provide evidence of the health of the dependant. To do so is not only banned under the draft legislation but would also raise difficult issues for employers around managing sensitive personal or medical information related to a third party.

Similarly, employees do not have to provide evidence of the specific caring activities that they are undertaking during the leave. Employers can choose to require an employee taking carer's leave to complete a self-certification form declaring that they are a carer taking time off to provide or arrange care for a dependant with a long-term care need.

If an employee is on sickness absence during a bank holiday, are they entitled to be paid or to receive time off in lieu?

The employee's entitlement will depend on whether or not the bank holiday forms part of their statutory holiday entitlement under the Working Time Regulations 1998 (SI 1998/1833). Under the Regulations all workers are entitled to 5.6 weeks' paid holiday in any leave year. Where an employer grants employees the minimum holiday entitlement under the Regulations (5.6 weeks) and this includes bank and public holidays, a bank holiday will form part of the employee's statutory holiday entitlement.

It is worth noting that, contrary to popular belief, there is no law that requires employers to grant employees paid leave on any public or bank holiday, even though many do so in practice.

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