

acas working
for everyone

A guide for new employers



Know the law and how it relates to your workplace. Stay compliant and stay informed. Always consider issues of:

- unfair dismissal**
- notice**
- wages**
- holiday entitlement**
- maternity leave**
- flexible working**
- the written statement**
- discrimination**
- national minimum wage/national living wage**
- the right to be accompanied**

[acas.org.uk/newemployer](https://www.acas.org.uk/newemployer)

www.lra.org.uk (if based in Northern Ireland)

When you are starting out as an employer there are lots of things to think about. For example, how do you go about hiring the right person? And once you've set them to work how do you get the best out of them?

Many small firms feel they don't have enough time or resources to devote to employment issues but, as this guide shows, looking after your employees can make you more effective and help you avoid costly and time-consuming tribunal hearings.

1. Know the law

Unfair dismissal: you must have a good reason to dismiss someone and show that you have been fair in the way you have acted. This means:

- informing the employee of the problem you have with their conduct or performance
- holding a meeting to discuss the problem
- allowing the employee to be accompanied
- deciding on appropriate action
- providing employees with an opportunity to appeal.

Some reasons for dismissal, such as pregnancy and trade union membership, are automatically unfair and employees can claim unfair dismissal on these grounds regardless of how long they have been employed.

Notice: an employee who has worked for one month or more is entitled to one week's paid notice. This then rises to two weeks after two full years and continues to increase by one week per year up to a maximum of 12 weeks. Notice periods can be extended by agreement.

Wages: it is unlawful to deduct money from a person's wages unless you are legally required to do so (such as for tax purposes), have a contractual right to do so, or a separate written agreement signed by the individual.

Holiday entitlement: employees are entitled to holiday leave from their first day of employment. To calculate current and future holiday entitlements, go to www.gov.uk/calculate-your-holiday-entitlement

Maternity leave: an employee has the right to 52 weeks' maternity leave, regardless of their length of service. They also have the right to 39 weeks' maternity pay. For more information about maternity leave and pay, go to www.gov.uk/employers-maternity-pay-leave

Shared Parental Leave: Shared Parental Leave allows parents flexibility in how they arrange and balance their time off and their work in the year after the birth, or the adoption of a child. For more information, go to acas.org.uk/shared-parental-leave-and-pay

Flexible working: get to know best practice and legal requirements around flexible working by visiting acas.org.uk/making-a-flexible-working-request

Agency workers: are entitled to the same basic conditions of employment – notably pay and holidays – as comparable permanent employees after a 12 week qualifying period. For further details go to acas.org.uk/agencyworkers

Further information: Acas can help to solve disputes at work before and after any claim to an employment tribunal – details can be found at acas.org.uk. For a comprehensive list of automatically unfair dismissals and other legal rights see acas.org.uk/dismissals

2. Sort out an employment contract

Put the details of an employee's contract in writing. It saves misunderstanding later.

Legal check: The law requires employers to provide most employees, within two calendar months of starting work, with a written statement of the main terms of the contract. This should include things like pay, holidays and working hours.

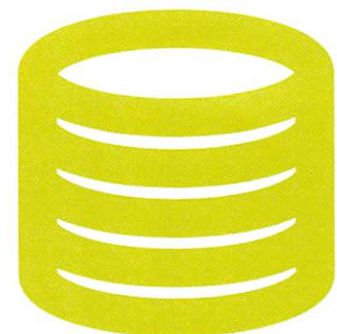
Further information: for a full list of what should be in the contract visit www.gov.uk/employment-contracts-and-conditions

3. Pay the right rates

Find out what the going rate is and think about what you can afford. Remember that 'total pay' is often more than annual salary or weekly wage. It can include pensions, loans, travel and meal subsidies.

Legal check: From day one of employment your employees have the right to be paid no less than the National Minimum Wage, or for employees aged 25 and over, the National Living Wage. Rates are increased every April.

Further information: for further information, go to www.gov.uk/browse/employing-people/payroll



4. Recruit the right people

Recruit the right people by drafting a description of the job you want performed and a list of all the personal qualities and skills required.

Advertise effectively using a variety of sources such as JobCentre Plus, employment agencies, local press and the internet.

Legal check: Potential recruits have the right not to be discriminated against on grounds of sex, race, disability, sexual orientation, religion and belief, age, gender reassignment, marriage and civil partnership, pregnancy and maternity.

Further information: Go to acas.org.uk/job-applications-and-hiring

5. Start on the right note: training and induction

Settle new recruits in quickly – getting them familiar with their role, colleagues and work environment.

Training needs to be an ongoing concern – line managers, in particular, can benefit from training to help develop their staff.

Further information: Go to acas.org.uk/checklist-for-induction-of-new-staff

6. Set your boundaries early on: discipline and grievances

Company rules should cover things like absence, health and safety, standards of performance, timekeeping, use of social media and use of company facilities.

If the rules are broken you need to take action using a clear, written disciplinary procedure. You also need to give employees the chance to raise concerns and problems through a company grievance procedure.

Legal check: All workers have the right to be accompanied at a discipline or grievance hearing by a colleague or a trade union representative.

Further information: Go to acas.org.uk/disciplinary-and-grievance-procedures

7. Control costs by managing attendance

Manage long term sick absence through regular contact with the employee. Always talk to your staff when they return from sick absence and check that they are able to resume normal duties. Keep a record of employees absences.

Help your staff to return to work more quickly by considering flexible working or an altered routine or duties.

Further information: Go to acas.org.uk/absence-from-work



8. Communicate

Employees need to know about their jobs, the business and its products or services. They also need to know about their terms and conditions of employment, disciplinary and grievance procedures and how they are performing in their jobs.

Communication also plays a much bigger part in giving employees a sense of control over their work and increasing their levels of commitment to the organisation.

Consider how employee engagement practices can benefit your business – go to acas.org.uk/engagement

Further information: Go to acas.org.uk/advice



Your checklist

Know the law

Acas can help to solve disputes at work before and after any claim to an employment tribunal – details can be found at acas.org.uk

For a comprehensive list of automatically unfair dismissals and other legal rights see www.gov.uk/dismiss-staff/unfair-dismissals

Sort out an employment contract

For a full list of what should be in the contract visit www.gov.uk/employment-contracts-and-conditions

Pay the right rates

For advice on how to sort out PAYE and national insurance, go to www.gov.uk/pay-for-employers

Recruit the right people

Go to acas.org.uk/job-applications-and-hiring

Go to www.gov.uk/browse/employing-people/recruiting-hiring

Start on the right note: training and induction

Go to acas.org.uk/checklist-for-induction-of-new-staff

Set your boundaries early on: discipline and grievances

Go to acas.org.uk/disciplinary-and-grievance-procedures

Control costs by managing attendance

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Communicate

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