



Complete People Management

Practical, Prompt and Professional HR solutions

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NEWSLETTER – MAY 2009

At **Complete People Management Ltd** we want you to receive a newsletter that is informative and assists you in dealing with your people matters. If you like the newsletter, tell someone about it. If you don't, please tell us. Your feedback is important to us.

In May's newsletter we cover:

- What have you done so far?
- Recent Employment Tribunal Outcomes
- Leadership Styles Made Simple
- Question and Answer



Sue
Schoormans
Managing
Director

What have you done so far?

As a result if the legislation changes in April have you checked the following:

- Your employees now receive a minimum of 28 holiday days including the usual 8 bank holiday days and their contracts of employment reflect this?
- Your discipline and grievance procedures reflect the new regulations? Your employees are aware of these changes?

At Complete People Management Ltd we can update or supply you with HR documentation that reflects current legislation. Contact us at info@completepeoplemanagement.co.uk or on 02088168726

Quote of the Month

Who is wise? He that learns from everyone.

Who is powerful? He that governs his passions.

Who is rich? He that is content.

Who is that? Nobody.

Benjamin Franklin



Recent Employment Tribunal Outcomes



Definition of Disability

Chief Constable of Dumfries & Galloway Constabulary versus Adams

The definition of disability includes "normal day to day activities". This case answers what is meant by NORMAL.

Normal refers to activities that are found in a range of employment situations and therefore do not include specialist skills. For example walking on a night shift would be classed as common across a range of employment situations and industries whereas a watch repairer using specialist tools to carry out the work would not be classed as common and therefore would not fall within the definition of disability.

To read more visit here:

<http://www.employmentappeals.gov.uk/Public/Upload/EATS.0046.08.BIFINAL.doc>

TUPE - Clearsprings Management Ltd versus Ankers and others

In most cases employers would expect that TUPE would apply when their provision of services ends. This case raises issues that present doubt on this assumption.

The case relates to the National Asylum Seekers Service (NASS) created to provide accommodation for asylum seekers. National contracts were awarded on a regional basis in March 2000 for 5 year terms to various service providers. Five years later the contracts were re-tendered and Clearsprings was not awarded a new contract in the North West. Three other contractors were awarded the work randomly instead.

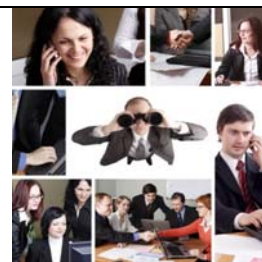
The ET found that although there was a service provision change no single transferee could be identified and therefore TUPE did not apply. In addition a transfer date could not be identified as it was fragmented. The EAT agreed with this ruling.

To keep up to date with ET cases visit here:

http://www.completepeoplemanagement.co.uk/24/?form_16.userid=4&form_16.replyids=10



Leadership Styles Made Simple



There is no better time like the present to assess managers' leadership styles. With leaner workforces that are required to work smarter there can be little or no tolerance for poor performing employees

Analysing leadership styles can assist in maximising employee performance. Leadership is about providing direction, support and encouragement to employees depending upon where each and every employee is within their job namely, are they new to the company and/or job, are they learning new skills, are they fully proficient in their job, etc?

The Role of the Leader

<p>The unconsciously incompetent = employee new to role or company</p> <p>The manager:</p> <ul style="list-style-type: none"> ○ Sets goals ○ Defines the employee's role ○ Develops action plans to solve issues ○ Controls decision making ○ Provides specific direction ○ Provides close supervision ○ Evaluates employee's work 	<p>The consciously incompetent = employee learning new role</p> <p>The manager:</p> <ul style="list-style-type: none"> ○ Sets goals ○ Identifies problems ○ Develops action plan & consults with employee ○ Explains decisions to employee ○ Takes the final decision ○ Evaluates employee's work
<p>The unconsciously competent = employee familiar with role</p> <p>The manager:</p> <ul style="list-style-type: none"> ○ Identifies problems with employee ○ Sets goals collaboratively ○ Develops action plans with employee ○ Allows employee to control decisions ○ Periodically monitors employee performance ○ Allows employee to evaluate own work ○ Allows employee to take responsibility 	<p>The consciously competent = employee well established in company and role</p> <p>The employee:</p> <ul style="list-style-type: none"> ○ Identifies the problem(s) ○ Is involved in goal setting ○ Takes the lead in problem solving ○ Seeks manager's ideas as required ○ Shares responsibility for decision making and problem solving ○ Evaluates work with manager

To learn more about leadership style and/or request 360 degree feedback to be undertaken on your management team contact Sue on 0208 8168 726 or at sue@completepeoplemanagement.co.uk



Question and Answer



At **Complete People Management Limited** we want to help you manage your people effectively. If you have a question that you want answered simply ask us. We will not disclose your identity.

What have you got to lose?

It's free!

Q: Resigned or dismissed? I spoke to an employee in private and advised him/her to resign or face dismissal. Can the employee make a claim?

A: Yes.

Such action is a threat and would therefore be classed as a dismissal if the employee subsequently resigns.

The employee must however be able to prove that the conversation took place.

An employment tribunal will decide based on who they believe as to whether a dismissal did take place unless there is additional evidence in support of the employee or employer.

Be warned that the employee in question may have recorded the conversation.

The newsletter includes information about employment legislation changes and top tips on an employment subject in a concise format. Further advice must be sought before any subsequent action is taken. The information published is without responsibility on our part for loss occasioned to any person acting or refraining from action as a result of information published herein.

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