

D3 Employee Solutions

for those thorny people problems

July 2009

www.d3employeesolutions.co.uk

Employee Relations Support

Set-up service

	Cost (all plus VAT)
1. Employment contracts which comply with the Employment Rights Act 1996	Included in standard monthly fee
2. Employee Handbook covering in more detail the contractual terms, other employee rights and company 'rules'/employment policies/employee procedures	
3. Disciplinary & Grievance Procedures which comply with the ACAS Code of Practice	
4. Employer's guide to employment matters	
If these documents already exist, they will be reviewed to ensure that they are complaint and up-to-date	

Ongoing services

Although not essential, we recommend that clients arrange stand-alone legal expenses insurance or have this cover included in an insurance package. This cover covers most commercial legal disputes and, in the case of Employment Tribunal claims, covers not just the legal costs of defending most claims, but also any compensation claims in the event of losing a claim. When packaged with other commercial insurances, legal expenses cover often comes as an added extra at virtually no cost. Clients often find that they already have this cover without even realising it. If not any good insurance broker will be able to arrange cover. We can introduce you to Towergate Risk Solutions if required.

To preserve the cover, clients must be able to show that they have followed the ACAS Code of Practice in handling any performance or

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conduct dispute with employees; and, in the event of a claim, to contact and use the advice of the insurer's employment lawyers.

In meeting the conditions of the policy, clients should contact D3 Employee Solutions in the following circumstances:

- a) There is a need to investigate alleged misconduct - any misconduct which might, if substantiated, lead to formal disciplinary action e.g. formal written warning or dismissal
- b) In cases of alleged gross misconduct when there may be a need to suspend an employee
- c) There are concerns about the job performance of an employee or about their competence to undertake their role when these concerns, if not rectified, might lead ultimately to dismissal
- d) Redundancies are being considered
- e) There is a need to consider termination of employment as a result of incapability due to illness or injury
- f) A grievance is raised by an employee under the terms of the Grievance Procedure
- g) 12 months before a 'normal' retirement
- h) Allegations of discrimination, harassment or bullying are made by an employee, either through a formal grievance or otherwise
- i) A Employment Tribunal claim is received, either from any existing employee or an ex-employee
- j) If thinking about selling the business, merging it with another or acquiring another business entity (to assess the applicability and compliance with TUPE)

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- k) If a request for 'Flexible Working' is received
- l) Applying the statutory requirements relating to maternity, paternity and adoption pay and leave
- m) When considering amending contractual employment terms
- n) For general advice relating to the interpretation of employment contracts or employment law e.g. holiday entitlements

NB the above applies irrespective of the length of service of the employee(s) concerned even though short-serving employees may not have the right to claim unfair dismissal. This is to guard against the possibility of a claim relating to discrimination or for a dismissal claim where the reason may fall into one of the 'automatically unfair' categories, irrespective of service.

The standard services provided in these circumstances will be:

- i. Advice on how to proceed – by phone and/or e-mail
- ii. All necessary letters, prepared on a case-by-case basis, not via standard templates
- iii. In the event of any Employment Tribunal claim, liaison on the Client's behalf, with the insurer's nominated lawyers; preparation of the response to the claim; liaison with ACAS when a conciliated settlement is preferable and the consequent settlement negotiations
- iv. In the event of a potential termination due to ill-health/injury, liaison with the employee's doctors and, where appropriate, occupational health specialists

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The standard monthly cost of this service (which includes the issue and maintenance of contracts of employment and other set-up documents), are:

Number of employees	Monthly fee (plus VAT)
1-5	£60
6-40	£60 plus £6 per head for each person above 5 e.g. 8 employees = £72 25 employees = £180
40+	By negotiation

Optional services (paid for on case-by-case basis) will be:

- v. Investigation of misconduct cases or grievances
- vi. Direct involvement in disciplinary and grievance meetings/appeals
- vii. Giving evidence at an Employment Tribunal hearing if required

Optional services will be charged at £70 per hour plus travel expenses plus VAT