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The Managing Director's Column



Park City criticises the Government's unnecessary regulatory red tape

Recent analysis from the Institute of Directors (IoD) shows that while UK businesses are struggling with a recession, they are in the midst of an onslaught of costly and ill-judged legislation. Moreover, the IoD claims that new regulations will cost business at least £1 billion a year – based on the Government's own regulatory impact studies.

At Park City we feel very passionately that this is a big issue facing small businesses. The Government declares that it is supporting smaller companies in this recessionary period, but contrarily, persists on continuing the bandwagon of greater regulation. This burden of superfluous regulation adds further to the restraints already being placed on small companies in this difficult time, especially if you consider that the average cost of an employment tribunal is £17,500.

Perhaps the Government has forgotten their promise to support business through this recession, or do they feel that, even though there is a recession, we can all cope with the cost of implementing more regulation?

It is important for small businesses to recognise that Park City are unequivocally on the employer's side. Indeed, Park City is an employer too. Through our connections with the IoD, we are therefore going to lobby the government to create a better regulatory framework for small businesses, in order to help them survive this economic downturn and to reduce any further avoidable regulatory burden that may be placed on small businesses.

In the meantime, you can rest assured that with Park City on your side, your business will always remain up-to-date with the latest legislation and impending regulations.

I sincerely hope that your business is healthy and I wish you a Happy Easter from all at Park City.

Juliet Price
Managing Director, Park City Consulting Ltd
Chairman, IoD Essex Branch

A busy April for legislative change

On 6 April 2009 the current Statutory Dispute Resolution procedures were repealed and replaced by the ACAS Code of Practice on Discipline and Grievance. Whilst still in draft format, it is known that Employment Tribunals will have the power to increase or reduce tribunal awards by up to 25 per cent for failure to follow the new Code.

The Code promotes a fair procedure encompassing the need to deal with issues promptly, consistently, undertaking fair investigations, allowing employees to be informed of cases against them in advance and being given the opportunity to put their own case in response, rights to be accompanied at relevant meetings by work colleagues or trade union representatives and the right to appeal.

Whilst much of the Code is already reflected in our clients' Disciplinary, Capability and Grievance procedures, your Park City Consultant may suggest amendments in due course. In the meantime, there are complex transitional arrangements to be aware of in respect of disciplinary and grievance issues which will have commenced prior to the implementation of the new Code and your Park City Consultant can advise on these where you may have a case that applies.

Additionally, the Right to Request Flexible Working now extends to those with parental responsibilities of children up to the age of sixteen. Your Park City Consultant will be advising you on the changes required to existing policies.

Employees can also now request unpaid time off to serve in a wider range of civic roles including; membership of probation boards, court boards, youth offender panels and some areas of the housing sector, such as; board members of social landlords and tenant management organisations.

Also, the latest increase to annual leave entitlements under the Working Time Regulations began on 1 April 2009. Workers are now entitled to 28 days annual leave per annum, which can include Bank/Public Holidays. Again, your Park City Consultant will ensure that you are advised of any changes required.

Statutory Sick Pay rates increased from £75.40 to £79.15

Statutory Maternity, Adoption and Paternity Pay rates also increased from £117.18 per week to £123.06 per week.

This month will also see the introduction of stricter penalties towards employers who do not abide by the National Minimum Wage rules.

Sandra Hull, Assistant HR Operations Manager

Compensation Limits Increase

REMINDER: The Government confirmed the new compensation limits effective from 1 February 2009.

This is pertinent as it affects the amount of statutory redundancy pay an employer is required to make. For dismissals taking place on or after 1 February 2009, the following rates apply:

- A week's pay increased from £330 to £350
- The maximum compensatory award for unfair dismissal increased from £63,000 to £66,200
- The maximum statutory redundancy payment and basic award for unfair dismissal has increased from £9,900 to £10,500

It is also worth noting that the statutory guaranteed payment in lay off situations increased from a maximum of £20.40 per day to a maximum of £21.50 per day, with effect from the same date.

Sandra Hull, Assistant HR Operations Manager

The Myth: If you call HSE for help, you'll end up with an unwanted inspection.

The Reality:
HSE's Infoline is confidential and run for HSE by a contractor. Your individual information is not passed to HSE so it won't result in a visit. The trained operators answer the great majority of calls themselves.



If they can't deal with your query fully they will ask you if it is alright to refer it to an expert in HSE.

So, if you've got a query or a concern, just ask. You've got nothing to lose and it could help your business!

Source: HSE

Park City's Referral Scheme

Each time you recommend Park City to a friend or a contact in your network & pass the name and contact details of the referral to a member of the Park City Team, we promise to follow up that referral in an exceptionally professional way. When the referral becomes a retained client, with the security of our service support, we want to thank you with more than a thank you card. **It is that straight forward to receive...**

- A £500 voucher for use towards a Park City training session or project
- OR
- A case of wine
- OR
- A half case of champagne

Gas Safety – CORGI bites the dust

From April 2009, the familiar CORGI registered gas engineer will be changing their designation due to a new gas safety register. The new system will be run by Capita and will be known as the **Gas Safe Register**, which is a registered trademark owned by the HSE.

The new scheme promises to raise the public awareness of gas and carbon monoxide risks and to continuously improve gas safety and services to gas consumers and installers.

All current CORGI registered engineers will be transferred to the new scheme on 1 April 2009. After this date, employers should ensure that they only use gas engineers who are registered with the new scheme.



Above: The 'Familiar' Poster

Below: The New HSE Poster



New Health and Safety Information Poster

The familiar poster which all companies are obliged to display is being replaced with a new poster entitled "Health and Safety Law – What you need to know".

However, there is no need to replace your perfectly good poster, as the Regulations requiring companies to display it have been changed to allow us to use the old one for 5 years, which is up to 6th April 2014. You will need to ensure the old one is still readable and replace it if it deteriorates.

The new version is much more user friendly and does not have the boxes for inserting enforcing authority addresses etc. All you need to do is add where the information can be obtained from, for example, the HSE Infoline or your Health and Safety provider.

If you have not yet filled in the boxes on your old poster (like many companies), then you could simply add the HSE Infoline number, as the Regulations have been amended to permit this.

Roly Buss MBE, Health & Safety Consultant



Institution of Occupational Safety and Health (IOSH) Course Dates:

IOSH Directing Safely for SMEs: 1 day *For Directors and Business Owners*

The 'Directing Safely' course is a one-day course, specifically designed for you, the directors and owners of SMEs, who are ultimately responsible for the Health & Safety of your employees and all who visit your place of work.

On completion of this course, you will gain a complete understanding of the moral, legal and business case for embracing Health & Safety management in a proactive manner, whilst also gaining a good understanding of effective risk management.

Tuesday 23rd June 2009
Tuesday 20th October 2009
Tuesday 1st December 2009

Price: £325.00 + VAT for **existing clients** (per delegate)
£375.00 + VAT for all other delegates

IOSH Managing Safely: 4 days *For Managers*

The 'Managing Safely' course is designed for those in your firm who are required to manage safely and effectively, in compliance with your organisation's policies and best practice in Health & Safety.

This 4 day course will ensure that safety requirements are appreciated by those people employed as managers, allowing them to review their own departmental systems for safety, introduce new controls and implement changes that will ensure that your organisation operates as safely as possible.

May 2009 – 12th/13th and 20th/21st
September 2009 – 15th/16th and 23rd/24th
November 2009 – 10th/11th and 18th/19th

Price: £395.00 + VAT for **existing clients** (per delegate)
£590.00 + VAT for all other delegates

All the above training days will be held in Park City's Training Suite. For more information or to make a booking, please email: laura.chambers@parkcity.co.uk

www.ParkCity.co.uk

For regular news updates, seminar and training dates and comprehensive details of all the services that Park City can offer your business, please visit our website.

Comments?

If you have any questions or comments to make regarding Park City's news updates (good & bad!) please do not hesitate to write to

jonathan.cannock@parkcity.co.uk

'How to' Workshops - 2009 Timetable

Park City's 'How to' Workshops, run by our expert HR consultants, offer excellent coaching, practical advice and ideas for immediate implementation on current HR topics relevant to your business:

Forthcoming Workshops:

Thurs 14th May – How to manage the grievance process

Tues 19th May – How to manage performance issues

Weds 24th June – Managing Absence

Thurs 23rd July – How to manage the recruitment process

Tues 22nd Sept – How to manage the disciplinary process

Thurs 22nd October – How to manage the grievance process

Tues 24th November – Managing Absence

TIME: 9.30am-1.00pm

VENUE: Park City Training Suite, Colchester Business Park

PRICE: £150.00 + VAT for **existing clients** (per delegate) £175.00
+ VAT for all other delegates

BOOKINGS: E-mail: catherine.willis@parkcity.co.uk

Free HR or H&S Consultation:

Would you like a Human Resources or Health & Safety consultation free of charge for your business? Or if you have any particular training requirements, call us now on **01206 752100** or visit: www.parkcity.co.uk/freeconsultation

Advice?

For further information concerning the changes in Employment Law and Health and Safety legislation revealed in this update, do not hesitate to call us today on **01206 752100** or email: consulting@parkcity.co.uk



FREE!

Business Health Check

Is your business performing to its potential?
Could you do more to improve your business performance?

Then please visit:
www.parkcity.co.uk/human-resources-management/free-health-check
for a **FREE Business Health Check** and a **FREE Business Report**.

Empowering Your Business

Employment Issues Health & Safety Tailored Training

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If you know anyone who might be interested to receive our latest news updates, please do not hesitate to contact Catherine on 01206 752100. Or alternatively enter the relevant details at www.parkcity.co.uk/subscribe+to+park+city+updates

Happy Easter from
the Park City Team!



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