

HR UPDATE

In this issue:

- SILENCE IS NOT GOLDEN: OVER HALF OF UK JOB SEEKERS DON'T HEAR BACK
- FLEXIBLE WORKING: HOW CAN YOU KEEP IT ON YOUR TERMS?
- MENOPAUSE IN THE WORKPLACE
- A PAIN IN THE NECK (AND BACK) FOR UK WORKERS
- WILL HR TEAMS USING AI CREATE UNEASE & MISTRUST?
- QUESTIONS & ANSWERS

SILENCE IS NOT GOLDEN: OVER HALF OF UK JOB SEEKERS DON'T HEAR BACK

Job hunting and applying for a new role can be frustrating and demoralising. A recent study by global matching and hiring platform, Indeed, reveals that a staggering 55% of job applications in the UK go completely unanswered, leaving applicants in limbo and facing a frustrating reality.

Despite 916,000 job vacancies across the UK reported by the Office for National Statistics, the hiring process remains inefficient. The survey, with insights from 1,000 working individuals and 1,000 hiring professionals in the UK, reveals inefficiencies that affect both job seekers and businesses, leading to prolonged vacancies and misaligned roles.

The survey found that when a potential employer is unresponsive, it greatly impacts an applicant's confidence, with 86% of respondents preferring a clear rejection rather than total silence. Hiring professionals also suffer, with 61% experiencing wasted time due to inefficient or lengthy hiring processes, or discovering candidates are unsuitable due to avoidable factors, such as location or lack of interest. Indeed plans to transform and personalise the hiring process using AI-powered tools, a new mobile app and other tech innovations.

<https://hrnews.co.uk/brits-dont-hear-back-from-more-than-half-the-jobs-they-apply-for/>





FLEXIBLE WORKING: HOW CAN YOU KEEP IT ON YOUR TERMS?

The Flexible Working (Amendment) Regulations came into effect on 6 April 2024, bringing significant updates to the UK's flexible working regulations.

Notable changes included granting employees the right to make a flexible working request from day one of their employment and a more streamlined process, with employees no longer needing to justify how their flexible working request might impact the business or their work.

With a greater say on when, where and how people can work, employers could now expect a surge in requests for flexible working arrangements.

Research conducted by the CIPD indicates that individuals who work flexibly are more committed, have a higher level of job satisfaction, and are healthier and less stressed.

From an employer's standpoint, adopting a flexible approach can lead to increased productivity, reduced absence and enhanced talent strategies, by appealing to a more diverse pool of candidates.

Yet, as a business owner, how can you create a flexible working culture that supports good work-life balance and meets your own needs? Here are some strategies to help you strike a harmonious balance and ensure that flexible working 'works' for you.

Implementing these strategies could lead to numerous business benefits, such as increased engagement, better retention and a diverse and inclusive organisation, and could be a win-win!

1

Develop a flexible working policy that clearly communicates your expectations as a business, while empowering your employees to work in a way that gets the job done and suits their personal lives.

2

Consider implementing core hours for availability. This can provide structure for meetings, team updates and other core activities, while allowing your employees flexibility to squeeze in a pre-work yoga session or manage caring responsibilities, with time for a quick cuppa before logging on.

3

Be transparent from the outset about the level of flexibility your business can offer, including in job advertisements and on your company website. This can help to manage expectations and attract great candidates who align with your approach.

4

Prioritise building a culture of trust, autonomy and support, where value is placed on output and results rather than hours worked or location. This encourages a healthy balance between productivity and wellbeing.

5

Regularly review your flexible working policies and initiatives, based on feedback and pulse survey results, performance data and the evolving needs of your business. This will ensure your offering is fit for purpose and that everything is running nice and smoothly.

6

Lastly, embrace the shift in workplace dynamics and the change in attitudes towards flexible working, while keeping a close eye on what works best for your business and objectives.





MENOPAUSE IN THE WORKPLACE

Experiencing menopause at work can be challenging for a number of reasons, and the physiological and psychological symptoms of menopause can vary greatly from person to person.

While menopause isn't explicitly a protected characteristic under the Equality Act 2010, a recent landmark employment tribunal case (*Mrs M Lynskey v Direct Line Insurance*) found that menopause symptoms can, in fact, be considered a disability if they have a long-term and substantial impact on a woman's ability to carry out normal day-to-day activities.

A key takeaway from the case is that it may be possible to discriminate against employees experiencing menopause symptoms, by refusing to make reasonable adjustments and by penalising them for poor performance.

The ET ruled that the employer failed to make reasonable adjustments for Mrs Lynskey's menopausal symptoms - namely: low mood, anxiety, mood swings, poor self-esteem and impact on memory and concentration - and that these symptoms were legally classed as a disability. This led to unfavourable treatment and her resignation.

Menopause Policy

Therefore, it is crucial to build an inclusive culture that encourages open discussion about the menopause, along with a supportive environment both in the office and when working at home. Having a menopause policy that educates, informs and helps people show understanding to their colleagues, without awkwardness or embarrassment, is a great place to start.

Our latest guide covers everything you need to know about these changes.

Get in touch for your FREE copy.



Case Summary

- The employee joined Direct Line in 2016 and had performed well for four years. However, in 2019, she began to experience menopausal symptoms, including poor concentration and memory issues and was also frequently tearful.
- After initial support, in 2020 she was transferred to a lower paid role, rather than reasonable adjustments being made to her existing role. She struggled with the new job, including difficulty with accessing computer systems, experiencing 'brain fog' and struggling for words.
- In 2021, she was told she would not receive a pay rise and her performance was criticised, wrongly attributed to low confidence.
- Subsequently, she was placed on a formal performance-improvement and, although she had repeatedly mentioned her menopausal symptoms, her manager claimed there were no mitigating reasons for her performance.
- She resigned the next year, claiming against Direct Line for unfavourable treatment and lack of reasonable adjustments.





A PAIN IN THE NECK (AND BACK) FOR UK WORKERS

Did you know that, since 2019, the number of cases of neck and back problems causing economic inactivity in the UK has risen by an astonishing 28%?

As highlighted in a recent report by health and safety experts, Blue Trolley, back problems are causing rising economic inactivity across the UK due to long-term sickness. Worryingly, lower-paid employees are particularly vulnerable as they are taking longer periods of sick leave for back issues.

This raises serious concerns about the impact on both individuals and the economy, and shines a light on the need for employers to take preventative and urgent action.

Blue Trolley has provided some valuable guidance for employees and employers to prevent long-term back issues. This includes highlighting the risks associated with work through health and safety training and risk assessments, maintaining good posture and using the right equipment to safely handle heavy goods, taking regular breaks and having a healthy lifestyle. Early intervention and a proactive approach to workplace safety is crucial in mitigating the long-term consequences of back problems in the workforce.

<https://hrreview.co.uk/hr-news/28-rise-in-long-term-sickness-from-back-problems/374730>

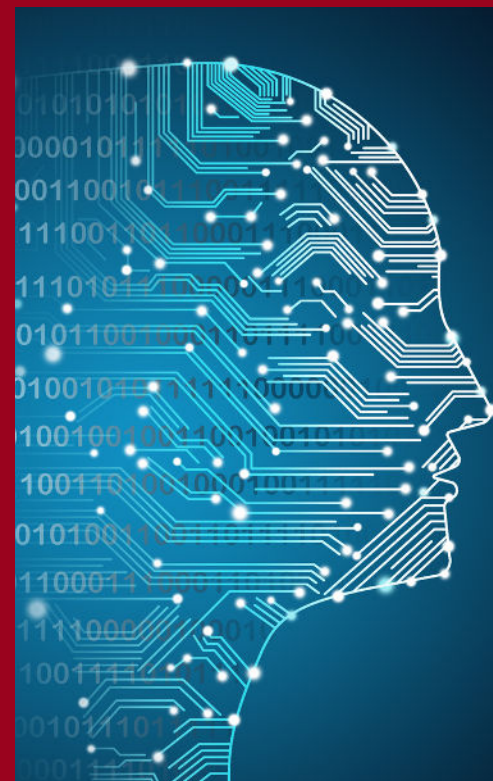
WILL HR TEAMS USING AI CREATE UNEASE & DISTRUST?

According to new research by SurveyMonkey, over half (54%) of employees are uncomfortable with their HR team using Artificial Intelligence (AI). A further 39% of workers also lacked trust in HR departments who use the automated technology.

For some HR professionals, AI is still very much uncharted territory, with 69% of HR teams still yet to implement the new technology. However, there is a growing concern that employees will feel "uneasy or distrustful" of AI and how it integrates into the HR world, seeing it as a threat to job security. For instance, some employees may have concerns about the impact on fairness, data safety, and security and risks.

To address these concerns, HR professionals need to foster trust for AI by implementing clear policy frameworks on ethics and data protection, educating employees about AI's benefits and limitations, and ensuring human judgement is involved in key decisions, rather than relying solely on automation.

<https://www.peoplemanagement.co.uk/article/1868607/half-employees-uncomfortable-hr-teams-using-ai-survey-finds>





QUESTIONS & ANSWERS



I run a business and employ members of my family. Do they need employment contracts?

Yes! Anyone legally classed as an employee has the right to a 'written statement of employment particulars' or an employment contract. As a business owner you can hire who you like, including family, but providing a contract will ensure consistency and fairness, and could provide you with protection if a dispute arises, rather than simply relying on good faith or loyalty.

Can I employ someone on a casual basis if they're under 16?

Children between the ages of 13-16 can take on 'light work' if it doesn't affect their health and safety or interfere with their education. If you want to do this, you normally need to have a permit from the local council's education department or education welfare service. There are also several restrictions on where, when and how they can work, depending on their age.

Can I request evidence from an employee requesting statutory carer's leave?

Put simply, no! The Carer's Leave Regulations 2024 prohibit employers from requiring an employee to provide evidence to support their request for carer's leave. Employees do not need to provide proof of their dependents' care requirements.

If an employee clocks in 10 minutes late, can I make a deduction from their pay?

If it is specifically agreed in the employment contract, you may be able to deduct pay for lateness. However, before any action is considered it's important to be fair and reasonable; explore the reasons for the lateness with the individual first (i.e. a family emergency) and always follow your own policies.

Can I demote an employee as a result of a disciplinary?

Depending on the reason, a demotion could be an outcome and a reasonable alternative to dismissal, if a contract clause permits this. However, it's crucial to follow both a fair disciplinary procedure and your company policies to the letter. Always consult with the individual, obtain their agreement and only consider demotion if it's proportionate to the findings of a full investigation. If justified, a performance improvement may be a suitable option.

