



March 2023 Update

Welcome to this month's update - where we discuss the latest guidance and legislation.

In this Edition we report on:

- Is praise sometimes an empty gesture at work?
- Are you reaping the benefits of family friendly work policies?
- Effective date of termination of employment

Is Praise sometimes an empty gesture at work?

Almost half of UK employees surveyed say the praise they receive at work is meaningless and feels like an empty gesture. Genuine recognition might come in the form of a deliberate thank you, spontaneous praise or a formal award for a member of staff or a team. One in five workers feel they receive less recognition working from home.

Review your recognition strategies in terms of how employees are thanked by managers, colleagues and customers to see if it is meaningful.

When employees don't feel connected to their workplace communities, their sense of belonging drops and their desire to stay with the company for another year falling by 80 per cent.

Increasing pay or providing bonuses is important but on its own does not convey appreciation without meaningful recognition in a culture based on trust and genuine rapport.

For some a thank you is enough, while others seek a more meaningful gesture.

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Even though line managers may be doing a good job of expressing their appreciation, this often isn't translating into meaningful recognition.

Employers: investing in meaningful recognition schemes that make employees feel truly valued can have a huge impact on employee wellbeing, motivation and retention of talent.

Contact us: we can guide employers through strategies

Are you reaping the benefits of family friendly work policies?

The modern workplace is constantly evolving and it's more important than ever for organisations to be inclusive, flexible and people centric. If your employees are dealing with big life events, the way you react will form a lasting perception of your company.

As an employer, many of your staff will be either parents or caregivers. Often these two groups require a little extra help, support and flexibility because of their caring responsibilities.

It is worth reviewing your family friendly workplace policies to allow employees to better balance their work and family. Family friendly policies include:

1. Flexible, part-time, job-sharing and hybrid working.
2. Fertility and family-building benefits
3. Maternity leave
4. Paternity leave
5. Adoption leave
6. Parental bereavement leave
7. Shared parental leave
8. Additional childcare provisions and benefits
9. Bereavement leave
10. Carer's leave

Mindset change

There are many initiatives and pieces of legislation already in place designed to encourage businesses to be more family minded, however, uptake has been slow. For example, shared parental leave has a take up of 3-4% of eligible parents, against a target of 25%.

It's a good time for employers to think about how they want to be seen, both by employees, their competition and in the marketplace. Whatever you decide, be clear about what is required of the employee. Ensure good record keeping and paperwork management, as well as communicating the impact of any changes on payroll.

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Employers: remember that introducing any family-friendly rights that go beyond the employer's legal duties will need to be carefully thought through.

Contact us: we can help with drafting a range of policies

Effective date of termination of employment

A tribunal and the Employment Appeals Tribunal (EAT) recently found that an employer's 'without prejudice' letter setting out a mutually agreed termination, where no such agreement had been made, amounted to an effective termination date. So, the employee's claim in the Tribunal was out of time.

Even though the claimant did not agree with the settlement offered it was still found that the letter sent was a dismissal letter and that the termination date suggested was effective.

The EAT in agreeing with the tribunal held that even though there was a repudiatory breach, the date in the letter was the effective date of termination for the purposes of an unfair dismissal claim.

It was also found that the letter was as a dismissal letter, notwithstanding that the opening paragraphs referred to there being a mutual termination, which agreement had not in fact been reached, and that the letter was headed "without prejudice".

The tribunal properly concluded that the letter unambiguously communicated that the employer had decided to proceed to unilaterally terminate the employment from a particular date, and that only the offer of an ex-gratia payment was conditional upon the claimant signing a settlement agreement.

Employers: make sure if negotiating a settlement be clear about a termination date.

Contact us: we can advise if a company needs to exit an employee.



Caroline has a wealth of experience supporting business clients with practical hands on HR and Employment Law advice. Caroline's pragmatic approach helps businesses of all sizes deal with complex HR situations. She qualified as a Solicitor in 1999 and now acts as a specialist Human Resource / employment Law Consultant to business.

Caroline Robertson, Director



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