



**ActifHR**

Where people matter..

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## June 2026 Update

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

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In this Edition we report on:

- Appraisals: how effective are they?
  - Data Protection update
  - Employer's obligation to give itemised pay statement not limited to physical delivery
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### Appraisals: how effective are they?

The traditional annual appraisal may be increasingly out of step with modern workplaces, where priorities shift quickly. Employees increasingly are needing timely feedback they can act on, not just a retrospective assessment months later.

Research suggests that many employees are left feeling less motivated after undergoing an appraisal, if performance feedback has not been raised in a timely manner. Employees want to know how their skills are valued, where they can progress and whether the business is investing in their long-term development.

Many organisations are moving towards more regular performance conversations and separating development discussions from pay decisions. Although the problem may be less about appraisals themselves and more about the people conducting them. Managers often enter management roles without any management training.

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Many are expected to provide feedback, manage performance and support employee development without being taught how to do so effectively. Technology may also be playing a growing role. Around 60 per cent of UK managers use generative artificial intelligence to help write reviews and feedback.

Investing in management capability means equipping people with the skills to coach, communicate, give feedback and develop talent.

**Employers:** balance annual appraisals with ongoing feedback and development discussions.

**Contact us:** we can assist with appraisals.

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## Data Protection update

On 19 June 2026, under the Data (Use and Access) Act 2025, a new statutory right for employees and other individuals to raise data protection complaints directly with their employer, came into force.

Employees do not need to use legal terminology or even describe their concern as a 'complaint'. A simple statement such as, 'I don't think you should be using my information in that way', may trigger an employer's obligations.

Organisations will be under a positive obligation to manage data protection complaints by:

- Giving individuals a way of making data protection complaints to them;
- Acknowledging complaints within 30 days of receipt;
- Taking appropriate steps to respond without undue delay; and
- Informing the complainant of the outcome without undue delay.

This new obligation represents a notable shift in responsibility. Previously, many data protection disputes went straight to the Information Commissioner's Office.

Now, employers must demonstrate that they have effective systems for receiving, investigating and resolving concerns internally.

**Employers:** the ICO has published useful guidance explaining what employers need to do to meet these new requirements.

**Contact us:** we can assist with data protection questions.

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## Employer's obligation to give itemised pay statement not limited to physical delivery

In the recent case of *Leedham v Royal Mail Group Ltd*, the EAT has upheld an employment tribunal's decision that the requirement in S.8 of the Employment Rights Act 1996 that a worker be 'given' an itemised pay statement by an employer does not require physical delivery and can be satisfied by the provision of electronic access.

The main question is whether the worker has been afforded access to the relevant information in a way that enables him or her to scrutinise and, if necessary, challenge it. However, this is fact-sensitive and a system which imposes real barriers or burdens on workers may fall short of the statutory obligation.

In this case, the employer's digital-only system complied with S.8 because the claimant had the means to access his payslips free of charge and there was no evidence of coercion, cost or practical impediment. Employers need to bear in mind that reasonable adjustments may need to be made to retain paper payslips for employees with a disability or medical condition preventing digital access.

**Employers:** if employers wish to move to digital payslips make sure that these are easily accessible without charge.

**Contact us:** we can assist with employer pay questions.



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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