



Contracts of employment and policies

We are often asked by clients if they need to issue written contracts of employment to their employees. The short answer is yes. The law states that all employers must provide employees with a statement of their main terms and conditions of employment within two months of them commencing employment. A failure to do so may lead to compensation being awarded to the employee in a Tribunal.

The contract of employment can be tailored to assist employers with protecting their own commercial position. Terms dealing with the following can be commercially invaluable to a business:

- A probationary period during which time an employee's performance and suitability for employment is monitored;
- Obligations on employees regarding holiday leave and sick leave;
- The ability to move an employee to alternative premises;
- Protection of confidential information and/or intellectual property rights; and
- The ability to deduct any sums owed by an employee from wages;
- The right to pay employees in lieu of notice rather than having them work their notice;
- The right to put employees on garden leave;
- Restrictions on the activities of key employees following the termination of their employment.

Policies and Procedures

Contracts of employment and policies and procedures are the basis on which an employment relationship is built. There is a legal expectation that all businesses will have certain policies as a minimum. Every business should identify its areas of risk and assess what policies are required.

As a minimum, we would recommend:-

- Disciplinary and grievance procedures;
- Equal Opportunities Policy;

- Anti-harassment and bullying Policy;
- Bribery Act Compliance Policy;
- Long Term absence procedures; and
- Electronic information and communications procedures.

We can help

Any ambiguity in the contract and policies can lead to misunderstandings and disputes. It is therefore crucial that they are drafted carefully to avoid such issues arising and ensure that the terms properly protect the employer and can be enforced as and when necessary.

We have extensive experience in drafting employment contracts, service agreements, consultancy agreements, flexible working contracts and a range of employment policies and procedures. We can assist you in reviewing and updating your current contracts and policies or drafting these documents on your behalf.

For further advice please contact:

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