



November 2023 Update

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

In this month's edition, we report on:

- Exit interviews
 - Skills-based recruitment
 - Working overseas
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Exit interviews

More than half (55 per cent) of UK employees who resigned from their last job post were not invited to an exit interview. This is a "missed opportunity" for valuable employee feedback.

With the rise of public review platforms such as Glassdoor, companies risk employee comments being posted online. By skipping the process of an exit interview employers miss the chance to resolve the issues and concerns of employees by listening before they go.

It seems many employees have felt comfortable enough to discuss their views with their employer if they had the chance.

Businesses should consider the exit process not only as a valuable chance to gain employee feedback but also an opportunity to retain talent.

Of course, the reality is that once it gets to the point where an individual has handed in their notice the chances of retaining them are limited. Still there is increasing recognition of the value of investing in a positive off-boarding experience.

Off-boarding should be considerably more thoughtful than a formal exit interview, with line managers ensuring that the person leaves on good terms wherever possible.

Contact us: for assistance with exit interviews

Skills-based recruitment

The number of companies turning to skills-based recruitment is on the rise, with many using skills-based assessments throughout their hiring process in 2023.

Skills-based hiring practices include cognitive ability tests, role-specific skills tests and assignment or work samples.

CVs may not stand the test of time as companies look to diversify their hiring approaches as they look to assess the skills a jobseeker has under their belt rather than their qualifications or experience. Of course, the CVs allow employers to screen as a first stage.

Skill based hiring techniques are more targeted, reducing the chance of mis-hires.

Employers were starting to question why they should search for certain academic achievements or job titles if they aren't a guarantee that the employee will be able to carry out the role.

By changing the approach and unlocking new talent pools, employers will be able to compile a more diverse workforce by dropping the non-essential attributes to success in a role.

If the skilled talent isn't available freely, then what similar skills would be most likely to ensure success given the right training internally?

Skills-based recruitment process enables employers to attract a diverse talent pool, as it opens doors for people who may not have a degree or years of experience, for example, but have an impressive skillset and strong potential.

It's a different way of thinking about talent attraction. However, it is accepted this may not be appropriate for some roles.

The CV still has a role to play in the recruitment process: however, the CV will evolve and take on new attributes, but the good ones will focus on skills.

Employers: consider the key skills a candidate can bring to a role.

Contact us: we can assist with recruitment.

Working overseas

The Covid pandemic brought many changes to the way we work. The most obvious being the increase in remote working.

While this will often mean working from home, or from within the UK, what happens when working remotely means working from abroad?

Of course, the starting point is whether the company agrees to remote working from abroad. It seems some employers work from abroad without their employer's knowledge.

Check your contracts of employment. For example, a clause allowing an employee to work from home, may be wise to specify in the UK or state the employee's address.

Make sure different managers / departments deal with such requests consistently.

Employers before deciding to agree with a request have often not considered how it will work operationally. Here are some things to watch out for:

- Security issues will be high on an employer's list of concerns.
From a cyber security perspective what risks arise and how will they be managed? How will physical security, especially relating to confidential documentation, be managed?

- Businesses also need to consider any health and safety issues that may arise. Their obligation to provide a safe working environment does not disappear simply because the employee is working remotely or is overseas.
- Do insurance arrangements cover any risks that arise from working abroad?
- Do any compliance issues arise? If the employee is required to process data outside of the UK is there a risk that there will be a breach of GDPR?
- For longer-term arrangements employers need to consider tax issues and the legal position of the employee. An employee may acquire tax residency in another country. This should not be the case if the employee is working outside of the UK for fewer than 183 days in a 12-month period.
- From an employment law perspective, where an employee works from abroad it is likely that they will benefit from the mandatory local employment protections. This may impact on things such as minimum pay, holiday and sickness entitlement and even the position on termination of employment.

Employers: a clear plan as to how to address all these issues will go a long way towards making things work smoothly.

Contact us: we can support such requests.

For more information or assistance Email: caroline@employmentlawsupport.co.uk



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