

# HR & Employment Law 5 day Residential Course

For senior managers and HR professionals

"Those responsible for using and operating the disciplinary rules and procedures, including managers at all levels, should be trained for the task" ACAS Codes of Practice



The Howarth Partnership Ltd

The increasing volume of employment law and the demands on employers for compliance means that many employers need evidence of recognised training for their management teams.

Delivered by qualified experts, giving a detailed overview of employment law with presentations, interaction and case study, this course works its way through the complexities of HR & Employment law.

The Howarth Partnership Ltd is a specialist HR and Employment law practice that provides legal advice, tribunal representation and management training on all HR & employment law issues.

Day One  
Introduction to Employment Law

Day Two  
Economic Dismissals

Day Three  
Investigation/Interview  
Techniques

Day Four  
Discipline and Grievance

Day Five  
Work Based Assignment  
providing evidence of endorsed  
training



ILM is the UK's largest awarding body for leadership and management qualifications. Endorsed and Development awards provide recognition and a quality assurance process for bench marking bespoke programmes in employment law and HR Management.



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## Day 1 - Monday

### Introduction to Employment Law

Unlike systems in certain parts of Europe, employment law and HR practices in the UK do not take the form of a single comprehensive set of rules but are derived from multiple sources both legal and voluntary which interact in complex ways. Determining the law on a particular issue within the work place and administering best practice in the interest of the organisation and the employee this may involve the HR professional to examining a range of sources. Sometimes, and in order to assess an employers' chances of pursuing a legal remedy, a knowledge of civil proceedings is relevant; making an employee redundant may require not just consideration of the law governing contracts of employment but also European Community law in terms of discrimination. Knowledge of the criminal law is essential in areas of theft from the employer, bullying and harassment or inappropriate downloading from the internet.

The first day of this course will look at the relevance of the common law; legislation, staff handbooks, implied terms not expressed in the contract, common law principles, voluntary rules, collective agreements, Codes of Practice and European Directives, administrative practices, work's rules, notices and other documents and the relationship between formal and informal sources.

## Day 2 - Tuesday

### Economic Dismissals

The second day of the course will examine economic dismissals in the form of redundancy and reorganisation and will consider the overlap between dismissal for redundancy and some other 'substantial reason' such as changing terms and conditions of employment. We will also examine the situation of short-time working and temporary lay-off and the right to redundancy compensation. Time will be devoted to the effect on employees during business transfers (TUPE) and Service Provision Changes and the relevance of transferee and transferor.

This will be followed by an interactive practical exercise during which the delegates will have the opportunity to analyse an organisation's position when affected by a downturn in work and demonstrate their ability to effectively reorganise the work force.

Delegates should be prepared for an extended day's practical activity.

## Day 3 - Wednesday

### Investigations/ Interview Techniques

The courts and tribunals have always been clear on the need for an investigation before any disciplinary action is taken since the landmark case of *British Home Stores v Burchell* in 1980. This case sets out the steps which an employer should take before dismissing an employee on grounds of suspected misconduct and is the authority that for a dismissal to be fair an employer does not have to have absolute proof that the dismissed employee was guilty of misconduct. The case sets out three principles that an employer should follow:

1. the employer must establish that he believed the employee was guilty of misconduct;
2. the employer must have had reasonable grounds for that belief;
3. the employer must have carried out as much investigation into the matter as was reasonable in all the circumstances.

Conducting an investigation, interviewing and obtaining witness statements is arguably the most difficult part of any disciplinary process and the new ACAS Codes of Practice used by tribunals in determining whether an employer has acted fairly clearly states 'Those responsible for using and operating the disciplinary rules and procedures, including managers at all levels should be trained for the task'

[View our video transcript](#)  
[Free hints, tips & download](#)

Day three is a very practical session prepared and delivered by experts in investigation and interview techniques. This exercise will demonstrate to the delegate the importance of planning an investigation, cognitive interview techniques, asking open, funnel and closed questions, the evidential value of probative questioning and taking written and verbal statements. The delegate will have the opportunity to demonstrate their skills in cognitive interview situations and their ability to obtain an accurate and methodical witness statement.

## Day 4 - Thursday

### Discipline and Grievance

The 2004 Statutory Dispute Resolution procedures have been scrapped with effect from 6th April 2009. The compulsory 2004 rules have been replaced by a semi-voluntary ACAS Code of Practice. It has been established since the 1988 House of Lords decision in the important 'Polkey' case that a dismissal can be unfair if fair procedures are not followed. Even if the reason for dismissal of an employee is completely fair it will be an unfair dismissal if the employer fails to follow fair procedures.

Day four will look at dismissals fair and unfair and the new ACAS Codes of Practice used by tribunals in assessing whether an employer has acted fairly and the Polkey rules referred to when awarding compensation or considering increases for unfair procedures.

## Day 5 - Friday

### Discussion and Work based assignment

This course provides the delegate with evidence of quality assured training and compliance with ACAS Codes of Practice and attracts an Endorsed Award from the Institute of Leadership and Management upon the delegates successful completion of a work based assignment. Day five will be dedicated to reviewing the course content and providing guidance on the ILM requirements in obtaining the Endorsed Award.

#### Timetable

Morning session - 10am - 12pm  
Lunch - 12pm - 1pm  
Afternoon sessions - 1pm - 4pm  
Finish - 4pm

## Andy Howarth LL.B (Hons)

## Senior Trainer



Andy has been involved in various disciplines of law for over thirty-five years both in the public and private sector. He is an experienced and accomplished evidence gatherer and interviewer and has been highly commended by the courts on many occasions for his professionalism and thoroughness in gathering and presenting evidence.

His relaxed and friendly approach in delivering seminars, advanced training courses and workshops has won testimonials from a variety of professional attendees that has proven to be successful and popular with HR professionals and senior management.

## Venue

# The Great Victoria Bradford



## Local amenities

The Great Victoria luxury hotel is located in Bradford, opposite the train station and only a short walk from Bradford's famous, bars, theatres, museums and Britain's 'curry capital'.

Residential package includes:

- Delux accomodation
- Yorkshire breakfast
- Morning tea/coffee snacks
- Buffet lunch
- Mid afternoon tea and coffee snacks
- 3 course evening meal
- Full use of indoor gym facilities

**Cost:** £1995 + VAT (per delegate)  
Reduced rates for multiple bookings

**Dates:** 7th June to 11th June 2010

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