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Changes to family Friendly Regulations

Special Interest Articles:

[Case Study P.4](#)
How competency-based interviewing made all the difference to Nutmeg Events Ltd.

[Competency-based interviewing P.5](#)
- find out what it is and how it works

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Proposals in the *Work and Families Bill*, currently going through Parliament, will affect maternity, paternity and adoption leave and pay, and extend the statutory right to request flexible working by those caring for adult relatives.

Family leave

Expected to be in force from 1st October 2006 to babies born, or children adopted, after 1 April 2007.

- key changes:
- everyone who currently qualifies for ordinary maternity or adoption leave will automatically also qualify for additional maternity or adoption leave, entitling them to up to a year off (currently 26 weeks);
 - anyone wanting to return earlier than a year will have to give eight weeks' notice (currently 28 days). If eight weeks' notice is not given, the employer can delay the return date for eight weeks;
 - anyone who notifies an earlier return date and then has a change of mind must give at least eight weeks' notice of the new date;
 - employers will be entitled to make reasonable contact with employees on maternity or adoption leave;
 - 'keeping in touch days' - when an employee on maternity or adoption leave can work, be trained or do other work-related activity for the employer - will be allowed without terminating leave or losing maternity or adoption pay.

- statutory maternity pay will be able to start on any day of the week, rather than on a Sunday as at present.

Maternity and adoption pay and paternity leave

Further Regulations expected will:

- extend the period of statutory maternity pay and statutory adoption pay from 26 to 39 weeks;
- make the administration of these schemes simpler; and
- give fathers a right to take longer paternity leave, possibly up to six months' leave, three of which will be unpaid, if the mother returns to work at the end of her first six months of maternity leave.

Flexible working requests by carers

Effective from 6 April 2007.

The right to request flexible working will be extended to employees with 26 weeks' service who are caring for an adult who is either:

- married to or a civil partner of the employee;
- a 'relative'; or
- a person who lives at the same address as the employee but does not fall into either of these categories.

For more information visit www.dti.gov.uk/workandfamilies

Statutory Maternity Pay (SMP)

First six weeks:
90% of the employee's average weekly earnings, with no upper limit.
Remaining 20 weeks:
£108.85 or 90% of average weekly earnings if 90% is less than £108.85.

Statutory Paternity Pay (SPP)

- paid for two weeks.
- £108.85, or 90% of employee's average weekly earnings if 90% rate is less than £108.85.

Statutory sick pay

- can be paid by the employer for up to a maximum of 28 weeks.
- payment is £70.05 per week.

All of the above are subject to qualifying conditions.

Minimum wage hourly rates

Adult (age 22 and over); £5.05
Youth rate (age 18-21); £4.25
Development rate (age 16-17) £3.00

Statutory redundancy pay

Maximum payment; 30 weeks pay or £8,700.

Minimum qualification; two years continuous service with the same employer from age 18 onwards.

10 tips for effective recruitment

1. Write a job description detailing the key accountabilities of the role.

A Job Description should set out clearly and concisely what is expected of the role. It should detail the key responsibilities and tasks the job entails, and also indicate the key qualifications of the job and the basic skills requirement.

2. Write a person specification which includes the skills, knowledge and competencies that are required to carry out the role.

A Person Specification is a profile of the skills and knowledge required for the role, and is derived from the job description. It provides:

- the criteria against which all applicants can be measured objectively
- a way of enabling comparative assessment of the applicants.

3. Identify which candidates to invite for interview.

The essential and desirable criteria identified in the Person Specification help you to narrow down your interview shortlist.

• **Essential criteria**

Anyone without the essential criteria of qualifications, knowledge, skills or experience would not be able to do the job, and should not be short listed for interview.

• **Desirable criteria.**

These are the criteria that are 'nice to have' but not essential. Where there are several applicants who meet the essential criteria, the desirable criteria can be used to aid selection.

4. Prepare in advance for the interview.

Review the CV and/or application form, and identify any areas you would like to investigate in detail with the candidate.

5. Prepare competency-based questions.

Competences are a set of behaviours and skills that a person needs to carry out the role effectively. Competency-based questions allow you to gather evidence of when, where and how the applicant has demonstrated those competences.

6. Be aware of employment discrimination.

Ensure you do not ask any questions that could be discriminatory. Any question about age, sex, race or religion that is not directly relevant to the job could be illegal and you could be accused of discrimination.

7. Keep detailed notes of the interview.

Note the date and time of the interview as well as the name of the applicant. If you are interviewing a number of applicants over a few hours or days, it will be much easier to recall each interview if you have these details too.

Don't be tempted, though, to note personal comments or thoughts as a method of recall; you never know who else might want to read your notes.

8. Make your decision as quickly as possible.

If you wait too long to decide and make an offer, you could find that the preferred candidate is no longer available.

9. Don't make do.

If no one is suitable after you've interviewed all the candidates, don't just take the best of a bad bunch. You will only regret it later, and employing the wrong person can be costly in terms of customer relations, productivity and reputation. Take a deep breath and start the process again.

10. Plan the induction.

Ensure the employee's first day is organised. Who are they going to meet, how will they spend their first day and their first week? What Health & Safety training do they need? Planning an Induction schedule will make a new employee feel welcome, and feel that their arrival has been eagerly anticipated.

Free HR Audit

REVIEW OF POLICIES

- to ensure they reflect current legislation.

EVALUATION OF CRITICAL PROCEDURES

eg disciplinary, family friendly and flexible employment procedures

- to ensure they offer maximum protection to employer and employee.

ASSESSMENT OF CONTRACTS both for existing and new employees

- to ensure they're up to date and all potential issues are covered.

FREE HR AUDIT REPORT which includes

- recommendations
- options for putting the recommendations in place
- options for keeping contracts, policies and procedures up to date.

How up to date are your contracts, policies and procedures? Do they cover and protect you, or is it possible that they are out of date, and likely to fail you when you most need them?

CONTRACTS

If you've been in business for a while, at least most of your employees have probably got contracts. It may well be that people have worked for you for years and there's never been any issue with their contracts. **But how often do you look at what's in them? Exactly how up to date are your contracts? And why does it matter?**

There may have been huge changes since they were first written, and if the contracts don't reflect those changes, you are leaving yourself wide open to problems. You could be giving out contracts that simply aren't safe from an employer's point of view.

Legislation says each employee must have a contract in place within 8 weeks of their start date.

A contract should give an employee basic information such as their holiday entitlement and rights, and sick pay policy.

A good contract should cover other scenarios which may have an impact on the employer. Such a contract could

- define allowable deductions from pay in addition to PAYE or NI eg in the case of overpayment, or if an employee leaves owing the company money
- protect the employer if the employee leaves and tries to take clients
- enable the employer to make variations to the contract

Only a few minor amendments might be needed to make sure you're covered in situations like these. Isn't it at least worth checking it out?

POLICIES AND PROCEDURES

Imagine that you have no Disciplinary procedures in place, because you've never needed them.

Imagine then that you recruit someone but decide that you want to dismiss them when they've been with you for more than a year.

What happens if they think they have been unfairly dismissed?

First of all they're going to find a solicitor and take you to an Employment Tribunal.

It became law to have statutory policies and procedures in place in 2004, if a company has just one employee. If you haven't got policies and procedures in place, you will have lost the case immediately and have no redress whatsoever. Even if you had an excellent reason for dismissing that person, the unfair dismissal will stand. If there was no Disciplinary procedure in place, the employee won't have been able to follow his/her statutory rights or had right of appeal, so the dismissal will automatically be unfair.

Maximum payout for an unfair dismissal is £58,400. And an Employment Tribunal can increase the compensation award between 10% – 50% if the employer hasn't followed procedures.

And if any other reasons for dismissal are proved - sexism, racism, disability - the compensation could be much bigger. **There is no cap on the payouts for discrimination claims.**

It's a very high price to pay for simply not having Disciplinary Procedures in place.

Case Study

Liz and Chas Rowden own Nutmeg Events Ltd, an Events Management company based in Bristol, south of England. Nutmeg supports clients across Europe and worldwide, managing anything and everything that causes major headaches for companies organising a major event. Nutmeg becomes the specialist event manager that every marketing department needs, but doesn't always have in-house.



The situation

Liz Rowden had had some good results from recent recruitment of back-office staff, but this time it was different. *"This time we needed an Events Manager – someone who would be the main point of contact for clients, and who could quickly pick up what had to be done for events already in the pipeline."*

The job needed someone who was self-reliant and self motivated, and a person who could be just as effective talking with the client MD as with electricians and carpenters.

But how to properly measure that in an interview?

What Nutmeg did

Liz knew that it was vital to get the right person in first time, so decided to get some help in recruiting this key person.

Liz met a number of recruitment companies, but decided on HR specialist Jacqui Mann of J Mann Associates, because she really needed someone who understood what she was looking for. So why did she choose Jacqui Mann? *"We got on really well and had a laugh, even at that early stage. I liked the way*

she talked – we spoke the same language and she understood right away what we needed. She was also willing to listen and not dictate to us, something that is all too rare in my experience".

What happened?

Initially Jacqui Mann went through the Job Description with Liz and Chas, fine-tuning it with regards to the competences needed such as effective communication and attention to detail, and then placed the advertisement in a number of local newspapers.

Jacqui handled all the replies, filtering them so that only the relevant ones were sent to Nutmeg. She then sat in on the interviews, adding expertise and support and providing Liz and Chas with an experienced, objective viewpoint. She also helped them to focus the questions beforehand, so they were really well prepared.

The interviews were based round the competences needed for the job, such as attention to detail and planning and organising. The questions focused on these competences, enabling Nutmeg to judge whether

the answers were helpful or just not relevant. *"One of the questions was "Describe what you have done in organising an event."*, Liz says. *"It was astonishing how many of them had simply booked tables, which wasn't what we were looking for at all."*

What was the result?

One year on, Liz is delighted with the successful applicant. *"She stood out from the others and has definitely got all the qualities we were looking for."* She feels that Jacqui contributed a great deal to finding their Event Manager. *"The whole process was completely painless. Ok, so fate and timing will always have something to do with it, but we knew what we were doing this time. And I really enjoyed our 2 days' interviewing – we had great fun."*

The future

Nutmeg Events continues to expand with Liz and Chas planning to recruit again this year. *"I'm not one for slick phrases, but I honestly cannot thank or praise Jacqui enough for her support. We will be going back to Jacqui Mann to help us recruit our next employee."*

"I liked the way she talked – we spoke the same language and she understood right away what we needed. She was also willing to listen and not dictate to us, something that is all too rare in my experience."

Competency-based Interviewing

What is it?

Competency-based interviewing is based on the view that 'past performance predicts future behaviours'. Which all sounds very trendy, but what does it actually mean?

Normal interviewing is usually a pretty hypothetical measure of what a person can do. It will usually involve questions like 'What would you do in such and such a situation?'; 'How would you react if....?'; 'What's the best thing to do when....?'

How does it work?

Competency-based interviewing looks at those behaviours that a person needs to carry out their job effectively, and asks for specific examples of those behaviours, such as attention to detail, planning and organisation, leadership, and team work.

So **traditional** interviewing would ask:

'If you were going to organise an event, how would you go about it?'

Competency-based interviewing would ask:

'How have you organised an event?'

Traditional:

'What would you do if you didn't meet a deadline?'

Competency-based:

'When did you not meet a deadline and what were the consequences?'

Why is it a good idea?

Competency-based interviewing provides a framework that lets you drill down with probing questions and understand the real, in-depth activity that the interviewee has actually carried out.

Behaviours and competencies that are critical for the role are defined before the interview, so that the focus of the interview is on those competencies that really matter.

What would be the impact on the company?

It definitely means taking more time over the interview preparation, and making sure that the right competencies are identified beforehand. The recruitment process is extremely important and by investing time at the beginning, time is saved in the long run.

BUT

It also means that you increase the chances of getting it right first time.

Employing the wrong person can be very expensive, in terms of reputation, time, productivity and cost. Employing the right person for the job first time round has to be the best option.

HOW CAN J MANN ASSOCIATES HELP?

As you will read in the Nutmeg Events Case Study on page 4, J Mann Associates can help with:

- **identifying the relevant behaviours** and competences for the job
- **writing the job description** to reflect those competences
- **narrowing down the applications** to those most likely to be worthwhile for interview
- **developing work-based exercises** which will demonstrate the interviewee's practical application of a competency
- **attending the interviews and supporting you** by asking and analysing the probing, detailed questions

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See us at:

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Ellevate Networking Lunches

**providing a platform for female business owners
to grow and develop their business**



- Exchange issues and expertise
- Learn tips from our guest speaker
- Lunch
- Enhanced networking opportunities

£35.00 annual membership plus £12.50 per lunch

Next lunch; Friday May 26th 2006 12 for 12.15 – 2pm
The Antrobus Hotel, Church Street, Amesbury. SP4 7EU

You are welcome to attend two meetings as a guest if you would like to see what Ellevate has to offer. (cost £14.50)

Date for your Diary

The first **ELLEVATE CONFERENCE** will be held on
Friday March 2nd 2007
at the Milford Hall Hotel, Salisbury
Theme: BRANDING YOUR BUSINESS
networking....workshops....seminars

**For more details please contact Jacqui Mann on 01980 622167
or Jane Mackay of Jane Mackay Coaching on 01722 500098**

About J Mann Associates

Jacqui Mann, owner of
J Mann Associates Ltd.

Specialists in
HR Management and Outsourcing

- Recruitment and selection
- Employment legislation
- HR Policies and procedures

Organisational Development

- Executive and Business coaching
- Change Management
- Leadership Development

Jacqui Mann has many years' wide-ranging business experience from working at a senior level in Human Resources in the retail, hospitality and manufacturing industries.

As Head of Professional Forums for the Association of Coaching (AC), Jacqui organises the Continuing Professional Development (CPD) for AC members throughout the country.



Jacqui has recently been awarded AC Accreditation, which recognises her coaching philosophy and experience. AC Accreditation is not given lightly; even to be considered needs professional references, client recommendations, proof of CPD, 5 years' experience, and a minimum 250 hours of practical coaching.