

Employment & Pensions Law Training Prospectus

2008-2009

Programme - at a glance

Wednesday 21 May 2008

Tackling talent - the employment law issues

Workshop: 09.00 - 11.30

Wednesday 2 July 2008

Mock Employment Tribunal

Half day

Wednesday 10 September 2008

Managing sickness absence

Workshop: 09.00 - 11.30

Thursday 16 October 2008

Designing 21st century pension schemes

Workshop: 09.00 - 11.30

Wednesday 26 November 2008

21st century workplace - is technology a help or hindrance?

Workshop: 09.00 - 11.30

Wednesday 21 January 2009

Annual HR Planner

Half day seminar

Wednesday 25 February 2009

Protecting intellectual property - how far can you go?

Half day seminar

Wednesday 25 March 2009

Conducting investigations, disciplinaries and grievances

Workshop: 09.00 - 11.30

Welcome to the new employment and pensions law training prospectus for 2008/2009

Whether you are an HR professional, senior manager or an in-house lawyer, you will know that it is increasingly difficult to keep up with legal developments in the employment and pensions field. Not only is it a struggle to keep track of the growing case law and legislation, it is also a challenge to understand fully their impact on the workplace.

To guide you through the maze of employment and pensions law and provide you with the support you need to tackle the wide range of developments, the Employment and Pensions Group at Field Fisher Waterhouse LLP has compiled a new training prospectus for 2008/2009.

Our long-established and popular training programme offers a mixture of workshops and seminars, providing a practical and informative insight into the employment and pensions issues regularly encountered in the workplace. Comprehensive and focused, our training programme is tailored to the issues you face on a day-to-day basis and is specifically designed to help you both recognise key legal issues and formulate solutions for your workplace.

But don't take our word for it! Here is just a snapshot of the feedback we received from delegates this year.

“An excellent, practical course for lawyers and HR personnel”

“A very good training course. All facilitators were approachable and friendly”

“Thought provoking - case studies were very useful, particularly the discussion following each one”

“Great overall - really found case studies and subsequent discussion useful and practical to real world application”

“Discussion groups are very useful in comparing company practices and approach”

“Very useful session with some excellent knowledge demonstrated”

“Fantastic seminar and I really liked the scenarios”

“All presentations were very good and informative. Thank you for a very useful morning!”

Workshops

Our workshops are designed to be informative, interactive and appropriate for all those dealing with employment issues, whether at a junior or senior level. We run through the main legal principles and use a variety of tailored case studies to illustrate the impact of key employment issues in practice. Our workshop groups are purposely small, to enable participants to benefit from a practical discussion forum.

Wednesday 21 May 2008

Tackling talent – the employment law issues

Workshop: 09.00 – 11.30

“Talent management” is without doubt one of the latest hot topics to hit the workplace. Recruiting and retaining high performers are central to the success of any organisation and managing talent successfully has become a priority for today's workplace.

However, it is often overlooked that managing talent also presents a variety of both legal and practical challenges for the employer. How do you attract the right employee on terms acceptable to both parties? Can you target your employee benefits to improve retention? What do you do if the high performer once considered integral to your organisation suddenly becomes a potential threat to your business? What steps can you take to manage their exit?

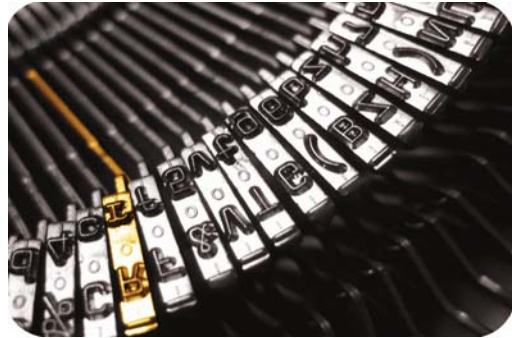
Managing talent effectively often involves identifying and addressing potential problems at the key stages of the employment relationship. For example, when recruiting high performers, spotting the important issues is crucial, particularly when negotiating key contractual provisions, such as the terms of employment and bonus entitlement. Difficulties can also surround high performers during employment, such as allegations of bullying and harassment made by other employees, and knowing how to handle such issues will help employers protect their position. Managing the exit of high performers also presents a number of hurdles, notably in relation to the enforcement of restrictive covenants and bonus issues. Foreseeing the potential difficulties on termination is vital in order to minimise damage to the business.

Using tailored case studies, we will guide you through the key issues arising from talent management in the workplace, helping you to identify both potential problems and solutions and providing practical advice.

Wednesday 10 September 2008

Managing sickness absence

Workshop: 09.00 – 11.30



Absenteeism is on the up. Each year, millions of working days are lost due to sickness absence, costing the UK billions of pounds. Many organisations struggle to cope with increasing levels of absenteeism, unsure how to approach absence rates and manage absence effectively.

Employers are often faced with long-term absences. These raise a number of difficult questions, relating to the way in which workloads should be managed, whether permanent health insurance has been triggered, whether ill-health pensions are available and whether dismissal should be considered. Employers also need to tackle short-term absences, which regularly highlight a variety of disciplinary and dismissal issues.

Trying to manage sickness absence can therefore seem fraught with danger for employers. How do you balance dealing with the absent employee and the other employees left to pick up the work? How long do you leave it before you take action? Will the steps you take constitute disability discrimination and/or lead to an unfair dismissal? Will dismissal on health grounds automatically trigger a generous pension or do you retain control (such as a discretion to approve payment)?

The legal implications of managing sickness absence are undoubtedly significant. However, a practical, consistent approach can protect an employer, particularly if issues are dealt with at the earliest opportunity. This workshop will put the legal background into context and, through our case studies, will highlight the practical implications, enabling you to identify the key issues and take the necessary steps to manage sickness absence effectively.



Thursday 16 October 2008

Designing 21st century pension schemes

Workshop: 09.00 – 11.30

Most private sector employers have left final salary pension schemes behind in the 20th century. Looking to the future, pension schemes are predominantly money purchase and the developing trend is towards contract-based plans instead of trust schemes.

The government has already passed legislation which will implement a new compulsory national pension scheme, probably called "Personal Accounts". While there will be opt-out procedures, these will be complicated by a requirement to repeat the opting out exercise for all employees every three years. The opting out exercise can be avoided by offering certain types of pension schemes.

Apart from the new national scheme, in cases where employees transfer to an employer under TUPE and leave behind an occupational pension scheme, the new employer must provide a pension plan meeting certain minimum standards. Similar minimum standards apply under the "Two-Tier Workforce Code" where employees have been transferred from the public sector and new recruits enter the same business unit.

Using worked examples and case studies, this interactive workshop will give you the chance to work through the practical implications of the various strands of legislation and guidance. We will also take the opportunity to highlight how developments in employee benefit practice, such as the use of salary sacrifice, can be incorporated into pension provision for the benefit of both employer and employees.

Wednesday 26 November 2008

21st century workplace – is technology a help or hindrance?

Workshop: 09.00 – 11.30



Technology and the workplace have gone hand in hand for some time. However, recent advances have had a previously unforeseen impact on the working environment, leaving many employers at a loss as to the extent to which they can integrate new technology into their workplace.

For example, Facebook and MySpace are used by millions of people in the UK. It is therefore not surprising that employees are increasingly accessing such sites at work, highlighting the very question of whether the recent phenomenon of social networking, as a general form of internet use, has a proper place in the working environment. Some argue that these sites have business benefits, others are concerned that they have a negative impact on employee productivity and may be misused. According to recent reports, social networking sites are also increasingly being used by employers as part of the recruitment process. The level of detail included on these sites potentially makes them a mine of information when it comes to researching candidates but many question whether such sites are a legitimate tool.

Advances in technology have also challenged the role of technology in the workplace. Microsoft has recently developed employee spyware, which is capable of monitoring an employee's productivity, physical wellbeing and competence. But how far can employee monitoring go? Are employers subject to any limits and can allowances be made in light of the developments in technology?

From an employment law perspective, internet use, social networking and monitoring in the workplace therefore raise a number of important issues for employers. Should you limit employees' access to the internet and social networking sites? Is it possible to discipline employees for excessive use of social networking sites, particularly if, as argued, there are business benefits? Can such sites legitimately form part of a business' recruitment procedure and, if so, are there any pitfalls? To what extent can internet usage be monitored? This workshop will provide an overview of the key, wide-ranging, legal principles and, using tailored case studies, will demonstrate the parameters and best practice surrounding one of the most recent issues to affect the modern workplace.



Wednesday 25 March 2009

Conducting investigations, disciplinaries and grievances

Workshop: 09.00 – 11.30

The statutory disciplinary and grievance procedures have dominated much of employment practice since October 2004, when new provisions came into force supposedly to facilitate the way in which employers handle the entire disciplinary and grievance process.

At the time of writing, and much to the relief of many employers, the statutory procedures are due to be repealed in April 2009. To date, the statutory procedures have proved complex and confusing and have led to an unusually high volume of case law, attempting to clarify the scope of the statutory provisions.

However, irrespective of the potential repeal of the statutory procedures, investigations, disciplinaries and grievances will remain central to the day-to-day work of HR professionals and senior managers. Handling a disciplinary or grievance process effectively will therefore still be of paramount importance, not only to ensure consistency of approach but also to reduce the risk of tribunal claims.

Our workshop will guide you through the legal principles and, should further guidance be available, provide an update on the proposed repeal of the statutory procedures and replacement provisions. Case studies will provide examples of the best practice approach to conducting investigations, disciplinaries and grievances, highlighting what action to take, and to avoid, when undertaking such procedures.

Seminars

Our seminars focus on key areas of employment law. For 2008 and 2009, our programme includes an interactive mock Tribunal, a practical insight into how an employer can protect intellectual property and the unmissable Annual HR Planner, providing invaluable training for all those dealing with employment issues at both a junior and senior level.

Mock Employment Tribunal

Wednesday 2 July 2008

Half day

Over 130,000 Employment Tribunal claims were brought in 2006/2007. This figure has risen substantially over the past few years and it is likely to increase further over the next year. In light of the growing number of claims, it is therefore vital that all organisations have a thorough understanding of the Employment Tribunal process.

Our mock Employment Tribunal will take you through every stage, providing an unmissable opportunity to understand the process from receipt of an application right through to the decision of the Employment Tribunal. It will provide an important insight into the procedure and enable you to identify the range of issues which can arise during the Tribunal process. The mock Employment Tribunal will be an interactive and invaluable experience for both HR professionals and senior management and will be particularly useful for those who may have to give evidence at Tribunal in the future.

Annual HR Planner

Wednesday 21 January 2009

Half day seminar

Start the New Year with our Annual HR Planner, bringing you up to date with all the important employment and pensions law developments of 2008 and looking ahead to 2009. We will discuss the key legal highlights of the year, identifying their practical implications for all employers, and focus on enabling you to prepare and plan effectively for the coming year.

Protecting intellectual property – how far can you go?

Wednesday 25 February 2009

Half day seminar

Intellectual property (IP) is often one of the greatest assets of an organisation. Whether it comprises facts and figures, client or customer lists or specialised computer systems, every business wants to protect its IP.

But what steps does a business need to take? Many employers automatically assume that what they consider to be confidential information is automatically protected and all copyright and inventions created at work are their property. This is often a mistake. In most circumstances, positive steps should be taken to ensure that all IP remains protected.

This seminar will provide a practical overview of the types of IP that can be protected and examines how this can be done, for example, in a contract of employment, by way of implied and express duties both during and after employment and by virtue of intellectual property rights. We will also examine what happens when an employee misuses IP and the instances in which an employer can seek an injunction in court.



Contact us

How to register for our events

Invitations to each event in this prospectus will be sent out four weeks in advance. If you would like to reserve your place before then, simply book your place by emailing seminars@ffw.com, specifying which session you would like to attend or contact louise.fernandes@ffw.com to be added to our mailing list.

Comprehensive service

Our training prospectus is also supplemented by a range of value added services, which include:

- fortnightly email alerters, providing rapid updates on major changes in the law that have practical consequences for HR professionals, senior management and in-house lawyers
- “People” the regular Employment Group newsletter, bringing together recent updates and articles on key employment law developments
- our dedicated website, containing newsletters, briefing notes within a client zone, our articles, alerters and a legislation tracker

Bespoke training

If you have a specific training need or would like to discuss how any of our workshops or seminars can be tailored to the requirements of your organisation and delivered in-house, please contact louise.fernandes@ffw.com.

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Our employment and pensions law partners

Margaret Davis, Richard Kenyon, Peter Holt, James Warren and David Gallagher lead a team of specialist lawyers with many years of experience in the employment and pensions field. We also have specialist tax lawyers.

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