



Power Hour – Exiting Employees

The Midlands Employment Team

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@geldards

Welcome - the Midlands Employment Team



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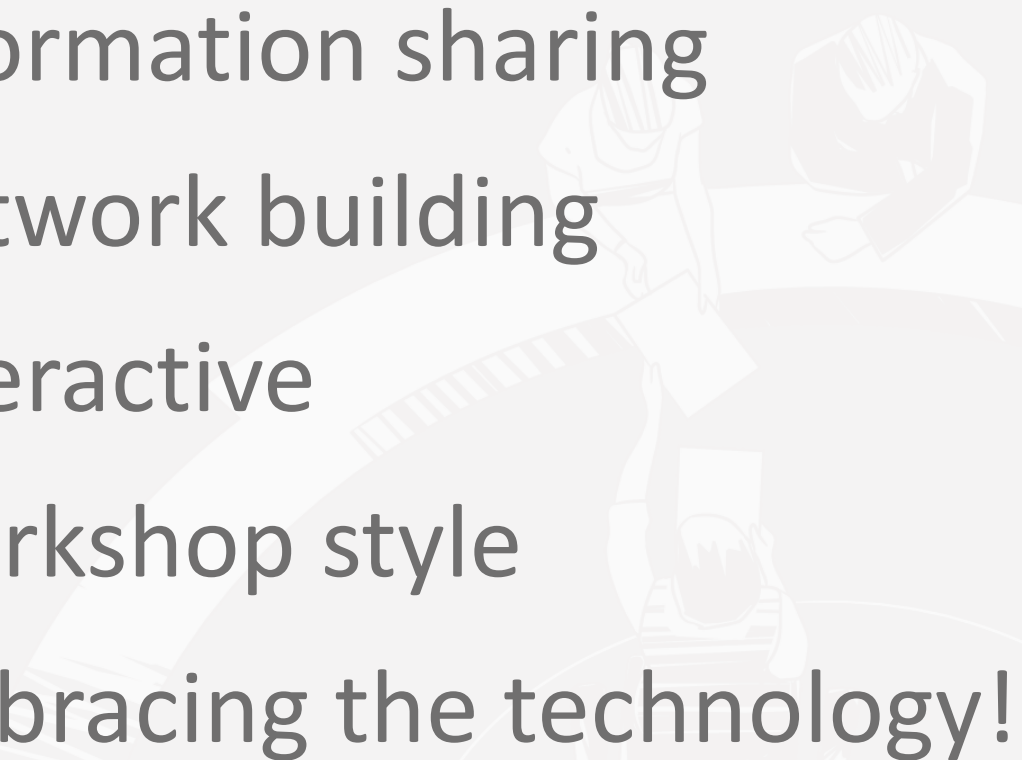
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“**The team at Geldards are great, incredibly reliable and competent**”

Client quote, Legal 500 – the world’s largest legal referral guide

Our HR Power Hours

- Information sharing
 - Network building
 - Interactive
 - Workshop style
 - Embracing the technology!
- 

Today – Exiting Employees

- Housekeeping
 - ...There is another way...
1. Legal framework – What am I talking about?
 2. Protected conversations - Do's and don'ts
 3. Mock Protected Conversations
 4. Knowledge testing – breakout rooms
 5. Feedback
 6. Follow up

What is a Protected Conversation?

- An alternative, more targeted approach
- Additional cost?
- Correct approach
- s111A Employment Rights Act 1996
- “without prejudice”
- **Off the record conversation**

Background

- Since 2013
- To make life easier for employers
- Acas Guide on Conducting Settlement Discussions
- Settlement Agreement

Formalities

s111A Employment Rights Act 1996

1. An actual offer made
2. Sufficient time to consider the offer
3. Only ordinary unfair dismissal claims
4. Not if “improper behaviour”

Admissible or off the record?

Best Practice

- Be sensitive
- Confirm consent in writing
- Provide offer in writing
- Give sufficient time
- Remain at work or time away?
- Clear contact points and timescales

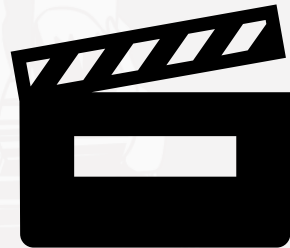
Impact

- No automatic claim
- BUT undermines and formal process
- Predetermined?
- Morale
- Constructive dismissal risk??

How to get it right?

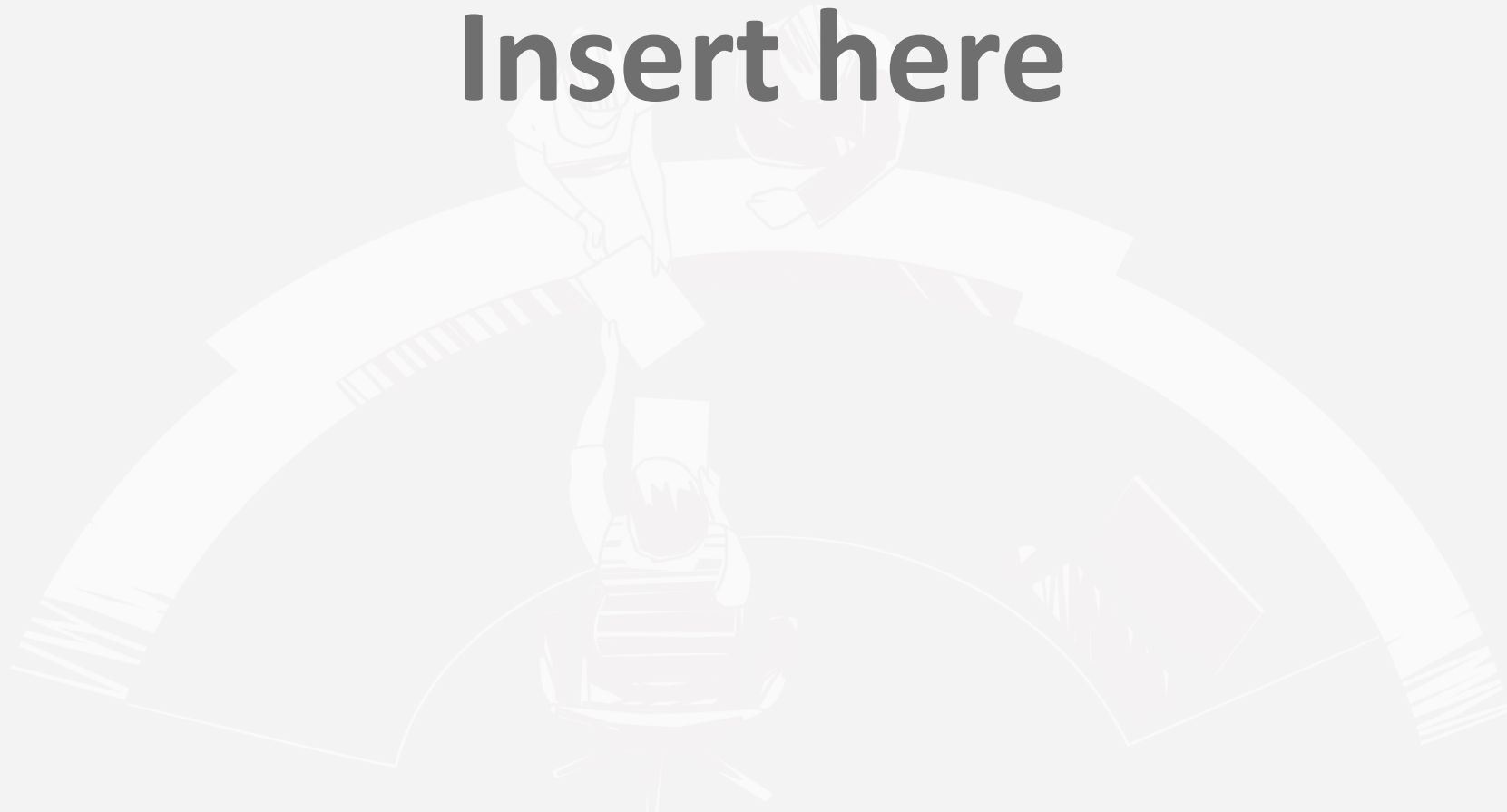
“3 ... 2 ... 1

ACTION!”



Feedback

Insert here



Follow up resources

- Mock Protected Conversation – how to get it right
- Webinar recording
- Protected conversation factsheet
- Feedback please!



Any questions





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