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HR Consultancy

Your First Hire:
A Practical Guide for Micro-Business Owners

Congratulations! If you're reading this, your business is growing. Hiring your first employee is a huge milestone, but we know the legal and HR side can feel like a minefield. This comprehensive guide will take you through exactly what you need to do to stay compliant, protect your business and build a great relationship with your first team member.

Keep this handbook close - it's your roadmap from recruitment to day-to-day management.

1. Finding "The One": Legally Compliant Recruitment

Getting the right person starts before you even interview them. Here is how to keep it fair and legal:

- **Write an inclusive advert:**
  - Focus strictly on the skills and experience needed for the job. Avoid language that could unintentionally discriminate based on age, gender, race, or other protected characteristics (for example, use 'energetic' or 'innovative' instead of 'young' or 'recent graduate').
- **Keep interviews consistent:**
  - Ask every candidate the same core set of questions. This keeps the process fair, helps you compare candidates objectively, and makes your hiring process legally defensible.
- **Right to Work checks (Crucial!):**
  - Before they start working for you, you must check they have the legal right to work in the UK. You need to physically check and copy their original ID (like a passport) or use the government's online share code system. Failing to do this can result in hefty fines.

2. Documentation: Contracts and Working Time

Handshakes are great, but the law requires a paper trail to protect both you and your employees.

- **The Contract of Employment (Written Statement of Particulars):**
  - By law, your new hire needs a 'Written Statement of Particulars' on or before their very first day. This document must cover pay, hours,

holiday entitlement, notice periods, and job location. It sets the ground rules from day one.

- **Working Time Limits:**
  - Keep an eye on the clock. Employees generally shouldn't work more than 48 hours a week on average over a 17-week period. If you need them to work more, they must sign a formal 'opt-out' agreement.
- **Mandatory Rest Breaks:**
  - Staff are legally entitled to a 20-minute uninterrupted rest break if they work more than 6 hours a day. They also need 11 hours of rest between working days, and at least one full day off a week.

3. Welcome Aboard: Onboarding, Induction and Probation

First impressions matter. A good start reduces turnover and gets your new hire up to speed faster.

- **Day One Induction:**
  - Day one shouldn't just be filling out tax forms and reading manuals. Give them a tour, introduce them to your business goals, and crucially, cover the Health & Safety basics and fire escapes.
- **The 90-Day Onboarding:**
  - Onboarding is a process, not an event. Set clear, bite-sized goals for their first 30, 60, and 90 days so they know exactly what success looks like.
- **Probation Management:**
  - Always use a 3 or 4 month probationary period. Don't wait until the end of the probation to talk to them! Hold weekly 10-minute check-ins to provide feedback. If it's not working out, a well-documented probation period gives you a legally simpler way to part ways with a shorter notice period.

4. Day-to-Day: Holidays, Absence and Statutory Benefits

Managing the daily realities of having an employee.

- **Time Off (Annual Leave):**
  - Full-time employees are legally entitled to a minimum of 5.6 weeks (28 days) of paid holiday per year. This can include bank holidays. Part-time staff get a pro-rata equivalent.

- **Sickness & SSP:**
    - Have a clear rule that they must call (not text) you by a certain time if they are too sick to work. If they are off sick for 4 or more days in a row, they may be entitled to Statutory Sick Pay (SSP).

- **The Extras (Statutory Benefits):**
    - As an employer, you have legal duties regarding workplace pensions (auto-enrolment) once they earn over a certain threshold
    - You also need to be prepared to manage statutory family leave and pay, where the eligibility requirements are met, including maternity leave and pay; paternity leave and pay; adoption leave and pay; shared parental leave and pay; parental bereavement leave and pay; neonatal care leave and pay; unpaid parental leave and time off for dependants.

5. Keeping the Peace: Discipline and Grievance

Nobody likes conflict, but you need a safety net in case things go wrong. Always follow the Acas Code of Practice to avoid unfair dismissal claims.

- **Handling Grievances:**
    - If your employee has a complaint, listen to them. If it's formal, investigate it properly, hold a meeting, and respond in writing. Give them the right to appeal.
- **Discipline & Performance:**
    - If they break the rules or are underperforming, don't dismiss them on the spot. Investigate the facts, invite them to a formal meeting (where they have the right to bring a colleague or trade union representative) and give them a chance to improve before issuing formal written warnings.

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