

How employment law affects your business

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Employment partner [Karen Cole](#) of London Law Firm, RIAA Barker Gillette, looks at when the employment relationship starts and how businesses can navigate their journey successfully to its end.

Employment law for businesses is a complex and constantly changing area of law. Employers must frequently bear this in mind when interacting with employees and workers. For example, the laws governing employees' rights come into play when a company starts to recruit and often survives the employment relationship's termination.

An unsuccessful candidate for a role may have the scope to bring a claim against a prospective employer under the [Equality Act 2010](#). Claims occur when the recruitment process conflicts with the rights afforded to individuals under the Equality Act and when an employer violates one of the protected characteristics. The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex and sexual orientation

Employment law provides a framework for regulating and potentially enforcing the employment relationship and is available to employers and employees. Unfortunately, keeping abreast of this area of law can be daunting.

There are three primary sources of employment law in the UK:

1. law derived from case law (cases heard before the Courts and Tribunals);
2. UK statutes and European law; and
3. codes of practice also have influence, for example, the ACAS Code of Practice on Discipline and Grievance Procedures.

Businesses should not switch off once they onboard an employee. Instead, they must manage the working relationship. For example, they should consider discipline and performance management, employee data protection and dealing with grievances and sickness and incapacity.

Karen recommends that employers manage the duties they face by regularly reviewing employment contracts, workplace rules and policies and providing regular training for HR and team heads.

Efficient and proactive, RIAA Barker Gillette's employment team offers pragmatic commercial employment advice underpinned by their extensive legal knowledge and expertise.

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Note: This article is not legal advice; it provides information of general interest about current legal issues.

