

Holmes & Hills

Employment Law Services

SPECIALIST ADVICE FOR SMALL AND
MEDIUM SIZED EMPLOYERS



About Holmes & Hills Solicitors

Holmes & Hills Solicitors is a large regional firm of solicitors with five six offices across Essex and Suffolk and over 140 legal professionals across a number of specialist departments. Holmes & Hills works in partnership with clients across East Anglia, including businesses, individuals, families and local authorities, to build long standing relationships, protect clients' interests and support clients' growth and development.

Working in partnership with businesses and individuals

Holmes & Hills' large team of legal experts work in partnership with individuals and organisations to provide them with truly proactive legal services through personal relationships. Acting as a trusted advisor to clients, we take the time to understand clients' needs and objectives before delivering practical advice through a personal and accessible approach.

Independently recognised as a leading regional law firm

Holmes & Hills Solicitors is independently recognised by The Legal 500 and Chambers & Partners - two independent directories of the UK's top law firms - as being a leading supplier of legal services in the region. These accreditations give our clients the confidence that the legal advice and representation they receive from Holmes & Hills is some of the best available.

Serving SMEs, individuals, families and local authorities in East Anglia

From its offices across Essex and Suffolk, Holmes & Hills provides a full range of specialist commercial legal services to business owners and their senior leadership teams, as well as to local authorities, across East Anglia. Commercial services include, by way of

example, advice covering drafting of contracts; representation in commercial property transactions; contract and commercial disputes; Planning Law matters, commercial finance and funding, contentious and non-contentious Employment Law matters; as well as matters concerning land and development.

Holmes & Hills' private client departments provide services to families and individuals, as well as commercial clients in their personal capacity. These services cover family, children and relationship matters; making Wills and Lasting Powers of Attorney; setting up and managing trusts; personal dispute resolution; residential property matters, as well as representation in Employment Law matters in the capacity as employee.

The A12 Commercial Hub at Junction 25, Marks Tey

Holmes & Hills has recently opened its sixth and largest office, a new regional head office providing a base for the firm's growing teams of commercial solicitors, its professional support staff and its central operational functions.

Providing over 14,000 sq ft of modern and agile working and meeting space, the A12 Commercial Hub, as the building will be named, is to provide clients, colleagues and professional contacts a convenient, modern and comfortable space to meet and work.

Get expert legal advice

To discuss the specific needs and circumstances of your business, or for more information on the contents of this service brochure, call 01206 593933 and speak with David Dixey, Employment Law specialist.



Employment Law services from Holmes & Hills

DELIVERY OF EMPLOYMENT LAW SERVICES IS LED BY DAVID DIXEY, SENIOR LAWYER IN HOLMES & HILLS' LITIGATION DEPARTMENT.

Holmes & Hills Solicitors provides services to employers based across East Anglia, ranging in size from small family businesses with several non-family employees (often under 10 employees), through to SME employers with up to 250 employees. Clients utilising the firm's Employment Law services are engaged in a wide variety of industries, the nature and operation of each industry requiring tailored advice, to ensure the greatest level of protection for the client in question.

Employers engage Holmes & Hills in one of two ways:

1. Employment Law retainer service, or
2. Ad hoc engagement.

Whether utilising our services on a retainer or ad hoc basis, Holmes & Hills' Employment Law specialists are able to advise on issues such as:

- Disciplinary procedure
- Dismissal
- Redundancy
- Maternity and paternity pay
- Employment contracts
- Staff handbooks
- Settlement agreements
- Defending employment tribunal claims
- Sickness and absence
- Holiday pay
- Worker status
- Grievances
- TUPE
- Bullying
- Protected characteristics
- Restructuring a workforce
- Drafting and enforcing restrictive covenants

Employment Law retainer services

Where employers find themselves regularly dealing with Employment Law matters, or find themselves in situations where they would appreciate the quick, expert opinion of an Employment Law specialist, Holmes & Hills provides the solution of a retainer service.

Providing five different levels of retainer service, starting at just £250 +VAT a month with no set-up fee, Holmes & Hills has designed service offerings with a view to ensuring there is a retainer appropriate for all sizes of business.

In the event your business requires a bespoke or adapted retainer service, this can be discussed and a bespoke package designed to meet the needs of your business and your team.

Ad hoc engagements

Where working with smaller employers and where employment issues arise less often, David is commonly engaged on an ad hoc basis, providing advice and representation on a specific matter currently facing the employer.

CLIENT TESTIMONIAL

"The advice and guidance we received from David was clear and precise in what could have been a difficult employment case."

HR MANAGER , MANUFACTURER
SUPPLYING THE AVIATION INDUSTRY



Ad hoc employment engagements

Smaller employers, those commonly with 10 or fewer employees, will often report they experience Employment Law issues and require advice reasonably infrequently. In these circumstances an appropriate means of accessing expert Employment Law advice is often on the basis of an ad hoc engagement.

Dealing with a contentious issue

Where an employer faces a contentious situation or reasonably foresees one arising, David has an initial conversation with the client to understand the circumstances and what has led to the situation or issue arising. With this information David provides an estimate of legal costs for delivering the necessary legal advice, guidance and representation to secure a successful conclusion.

Employment documentation

Where an employer does not face a contentious employment situation but wishes to review existing employment documentation, handbooks and policies; or put in place new, bespoke documentation, David will discuss what is required and is often able to provide a fixed legal fee for advising on and drafting specified and bespoke employment documentation.



Working with employers to protect their interests

Providing proactive and pragmatic Employment Law advice and representation to small and medium sized employers across East Anglia through retainer or one-off service engagements

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Employment Law retainer service features

Understanding your business, your operations and your approach to people management

In order to provide the best possible Employment Law advice and guidance when you need it, and in order to draft employment documentation that provides you with appropriate legal protection, it is necessary for your employment lawyer to have an acute understanding of your business and its operations.

It is for this reason that before you even engage Holmes & Hills on a retainer basis, David Dixey, senior lawyer and lead provider of Holmes & Hills' Employment Law services, will meet with you and any other relevant members of your management team. This will enable David to discuss your business and cement an understanding of its operations, current employment practices, organisational structure, employment status of existing workers, plans for the future impacting the workforce (planned growth, restructuring, outsourcing, upskilling, etc.) as well as recent and past Employment Law issues the business has faced.

New, bespoke standard contract and handbook, from the outset

To ensure your legal position is protected, all of Holmes & Hills' Employment Law retainer services include and commence with a thorough review of your existing standard employment contract and handbook and the drafting of new, bespoke documentation.

Your Holmes & Hills Employment Law specialist will ensure your documentation is tailored to your specific industry, as well as your business' unique operations and working practices. This ensures your business is provided the best possible protection. A well drafted standard employment contract and handbook will, where necessary, assist your employment lawyer in

their formation of defence against potential claims. More importantly however, professionally drafted and tailored employment documentation will assist in preventing employment claims arising in the first instance.

Each of Holmes & Hills' Employment Law retainer service packages provides for reviewing and updating your standard employment contract and staff handbook every two years where Holmes & Hills has been engaged under the terms of one of the retainer packages without disruption.

Expert advice when you and your management team need it

Each of Holmes & Hills' Employment Law retainer services include, as standard, quick and easy access to an Employment Law specialist. This advice is provided over the telephone or via video call by Lead Employment Law contact and senior lawyer, David Dixey.

In the vast majority of instances telephone advice can be provided the same day or the next working day, subject to the exact timing and nature of your enquiry, as well as subject to documentation needing review.

Common issues which commercial clients call for quick advice and guidance on include:

- Responding appropriately to an approach, request or comment from an employee.
- Taking quick, appropriate disciplinary action.
- Capability and performance management.
- Bullying and accusations of bullying.
- Dealing with sickness and absence, including long-term, short-term and regular.
- Worker status designation review and consideration for new positions/workers.
- Holiday pay calculations.
- Maternity and paternity leave matters.
- Probation period matters and terminating or extending a probation period.
- Termination of employment.



- Dealing with and managing applicants and workers who fall under the category of having protected characteristics.
- Employer's responsibilities during the recruitment process and in relation to applicants.
- Employer's responsibility for an employee's act or comment towards another staff member, customer/client, supplier, member of the public or other third party.
- Matters and issues concerning mobile workers.
- Requesting and responding to requests regarding overtime.
- Recruitment, management and dismissal of seasonal workers.
- Enforcement of restrictive covenants (non-compete clauses).
- Approaching discussions surrounding suspected fraud, theft or misuse of company monies or assets.

Perfectly placed to provide quick, effective advice:

Due to our Employment Law specialists already being familiar with your business, its operations and practices, and due to having reviewed and provided

you with your up to date standard employment contract and handbook, we will be perfectly placed to provide quick, effective and pragmatic advice and guidance when issues arise.

No limit on number or nature of calls:

Over the course of the year you can utilise the Employment Law Advice Line on as many occasions, covering as many different issues, as is necessary. The only limit to your use of the Employment Law Advice Line is the number of hours. Each package provides a different maximum number of hours per annum. The numbers associated with each package are based on our experience of clients' requirements and frequency of need.

Typical length of Advice Line calls:

In our experience, clients are often seeking expert opinion on employment issues which a specialist can provide quick and effective practical advice and guidance on. Such calls will often only last 10-20 minutes. Clients are though encouraged to call the Advice Line with any issue, however trivial it may seem. A small issue or incident dealt with

appropriately, effectively and promptly, following advice from an expert, can prevent the matter escalating or becoming something far more serious and costly for the business to resolve.

Even the cheapest Employment Law retainer service from Holmes & Hills Solicitors will cover several of these calls each month.

Bringing you and your team up to speed with the latest in Employment Law

Employment Law changes frequently and even when the legislation itself does not change, each year sees several new landmark Court decisions which have implications for employers of all sizes and across all industries. It may be that your and your team's knowledge of current legislation and best practice in employment matters is already out of date or has gaps.

To ensure you and your team are up to speed, informed and well prepared to deal with any matters that might arise day-to-day, when you engage Holmes & Hills on the basis of Employment Law retainer service three or four, you and your fellow Directors, HR Manager or senior management team (up to 10 people) will receive a training session at your business premises (within Essex or Suffolk) or at Holmes & Hills' A12 Commercial Hub at J25 of the A12 if your premises are not appropriate.

Your training session will be tailored to your company and can cover particular issues by request in advance, where you believe there are particular gaps in your or your management team's knowledge, or issues of particular relevance.

Keeping you and your team updated with important changes

Beyond bringing you up to speed with the latest legislation and case law (as well as implications for employment practices) we will make sure you stay up to date. Through regular email updates that share news and opinion on legislative changes and recent case law developments, as well as an annual, in-person Employment Law update event held at your business premises or at our A12 Commercial Hub, Holmes & Hills keeps you and your team updated.

Note that the number of spaces available to representatives of your business at these events will be subject to the package you engage Holmes & Hills in respect of.

Provision for advice on and drafting of settlement agreements

A significant benefit of Holmes & Hills' Employment Law retainer packages two, three and four is that these provide for advising on and drafting a standard settlement agreement.

Settlement agreements are an effective means of an employer agreeing and organising the departure of an employee from the business whilst removing the risk of any imminent or future employment claim, due to the fact the employee waives their rights as part of the settlement agreement.

Retainer packages two, three and four all include this provision as part of the service, allowing you to be confident that if a situation arises, not only will you receive quick, effective advice via the Employment Law Advice Line, but, if a settlement agreement is the necessary solution, this can be implemented and your retainer package covers you.

In the event your business needs to downsize or there are multiple members of staff whose departure has become necessary, your remaining Employment Law Advice Line time for the contract period can be utilised. If you have sufficient time remaining, there would be no additional legal fees to pay. If you do not have sufficient remaining time, your Advice Line time can contribute to the cost, if this is your preference.

Additional discounted time

If during the retainer period you experience more employment issues than you originally envisioned and find that you run out of time, as a Holmes & Hills Employment Law retainer service client, you will benefit from a discounted hourly rate being applied where additional employment services and time are required.

Clients will be regularly updated with how much time has been used and is remaining. When employment issues arise that will be likely to require larger amounts of time to deal with, your Employment Law specialist will provide you with an estimate of the time likely to be used at the outset.

What makes Holmes & Hills' retainer services different?

Flexibility and no long list of restrictions on what your retainer covers

If you have unused time remaining during the term of the retainer, this will cover (or, in the event there is not enough time remaining, contribute towards) Holmes & Hills providing advice, drafting and representation on a wide range of Employment Law matters or issues your business faces.

Holmes & Hills' Employment Law retainer services are ultimately time based, making them extremely flexible in terms of what employment matters you seek our assistance in relation to. Other than dealing with issued Court or Tribunal proceedings, or formal redundancy proceedings, the time available to you as part of your retainer service package can be utilised in respect of advice, guidance and representation relating to the full range of Employment Law issues and matters your business faces.

In the case your business finds itself having to deal with issued Court or Tribunal proceedings, or engages formal redundancy procedures, included within your retainer is providing you with the initial advice and guidance on the applicable legislation and your options, enabling you to make informed decisions (subject to there being enough time remaining). Additional costs are only incurred in the event you are required to defend issued proceedings or decide to commence formal redundancy proceedings.

The flexibility and lack of restriction associated with Holmes & Hills' Employment Law retainer services is, in our opinion, in stark contrast to employment retainer services offered by many alternative law firms.

No paying for under-utilised, ineffective legal expenses insurance

Many competing Employment Law retainer services offered by alternative firms will include legal expenses insurance cover. Holmes & Hills has chosen not to

include this as a feature of any of its Employment Law retainer services for the following reasons:

Ineffective and complex cover which puts our interests at odds with yours

Insurance of any type, by its very nature, is complex but this is particularly so for legal expenses cover where part of an Employment Law retainer service.

In our experience legal expenses insurers have complex terms detailing in what circumstances legal expenses are and are not covered, but there remain 'grey areas'. This gives rise to a conflict of interest whereby the client and Holmes & Hills expect and argue for a situation that arises to be covered by the insurance, but the insurer argues for it not to be so.

This conflict of interest can lead to the legal expenses not being covered when a client had expected and planned for them to be so. This conflict of interest also gives rise to delays and uncertainty. In employment matters, clients will often be required to make quick decisions and obtain prompt legal advice. If there first has to be a process of consultation with the insurance provider/underwriter and an evidence based argument made to the insurer so as to confirm legal expenses cover, this will cause delays. In these situations clients would find themselves making decisions about legal expenses without knowing whether those costs are going to be covered. If the determination from the insurance provider as to legal expenses cover is negative, this may require an appeal or dispute to be lodged.

Under Holmes & Hills' retainer services this uncertainty and delay does not exist.

Cost of premiums

Removing the insurance premium feature from Holmes & Hills' retainer services materially decreases the amount that we can offer these services for.

Clients benefit from a materially lower retainer cost, certainty over legal fees and discounted hourly rates in the event additional time is required beyond what remains and is included as part of the retainer package.

Employment Law retainer service packages

RETAINER SERVICE ONE

£250 +VAT per month
No set-up fee
Minimum 12 month contract

Hours of advice/drafting per annum	8
New, bespoke standard employment contract	Yes
New, bespoke handbook	Yes
Value of discount on standard hourly rate	11%
Review of existing wider personnel documentation and policies	No
Provision for advice on and drafting of a settlement agreement	No
Initial training session for directors/management at client premises*	No
Email updates with changes to law/practices	Yes
Attendance at annual Employment Law Update	1 person
Discount on additional time required/purchased	No

RETAINER SERVICE TWO

£300 +VAT per month
£300 set-up
Minimum 12 month contract

Hours of advice /drafting per annum	12
New, bespoke standard employment contract	Yes
New, bespoke handbook	Yes
Value of discount on standard hourly rate	22%
Review of existing wider personnel documentation and policies	No
Provision for advice on and drafting of a settlement agreement	Yes
Initial training session for directors/management at client premises*	No
Email updates with changes to law/practices	Yes
Attendance at annual Employment Law Update	2 persons
Discount on additional time required/purchased	5%

RETAINER SERVICE THREE

£350 +VAT per month
£350 set-up
Minimum 12 month contract

Hours of advice/drafting per annum	17
New, bespoke standard employment contract	Yes
New, bespoke handbook	Yes
Value of discount on standard hourly rate	22%
Review of existing wider personnel documentation and policies	Yes
Provision for advice on and drafting of a settlement agreement	Yes
Initial training session for directors/management at client premises*	Yes
Email updates with changes to law/practices	Yes
Employment Law Update held at client premises*	Yes
Discount on additional time required/purchased	10%

RETAINER SERVICE FOUR

£400 +VAT per month
£400 set-up
Minimum 12 month contract

Hours of advice/drafting per annum	22
New, bespoke standard employment contract	Yes
New, bespoke handbook	Yes
Value of discount on standard hourly rate	22%
Review of existing wider personnel documentation and policies	Yes
Provision for advice on and drafting of a settlement agreement	Yes
Initial training session for directors/management at client premises*	Yes
Email updates with changes to law/practices	Yes
Employment Law Update held at client premises*	Yes
Discount on additional time required/purchased	10%

Enterprise level package: key benefits

FOR BUSINESSES WITH A LARGER WORKFORCE, FACING MORE REGULAR EMPLOYMENT ISSUES AND REQUIRING MORE FREQUENT SUPPORT, HOLMES & HILLS OFFERS THE ENTERPRISE LEVEL EMPLOYMENT LAW RETAINER SERVICE.

This retainer package is aimed at employers with over 100 employees or those businesses with a high turnover of staff or complex industrial relations with its workforce, or factions thereof.

Key features of the Enterprise level retainer package include generous inclusive time allocation; advice and drafting relating to multiple bespoke contracts and several settlement agreements; as well as heavily discounted hourly rates on time included within the package and time required in addition. These and other features mean this package provides excellent value Employment Law support for you and your team.

35 hours of advice/drafting

Holmes & Hills' Enterprise package features 35 hours of included telephone, video call or in-person advice, or drafting, equating to 2.75 hours per month. With this inclusive time being in addition to the advice provided as part of drafting a standard employment contract, a senior personnel contract, a bespoke handbook, and up to three settlement agreements during the 12 month term, you and your team are unlikely to find yourselves short of (our) time.

Three inclusive settlement agreements

If you have a large number of employees, you may be utilising settlement agreements several times in any given year to assist in effectively managing the exit of workers from the business. The Enterprise level package includes expert advice on and professional drafting of three settlement agreements during the term.

If you require advice on and drafting of additional settlement agreements, you can, if you wish, utilise any remaining hours that form part of the Enterprise package for this purpose. meaning the provision of these would also be covered by the retainer.

Multiple new, bespoke contracts

As a larger employer, with more people leaving and joining the business at all levels, your need to review, amend and update employment contracts will be greater.

Rather than initial provision of just a single standard employment contract, the enterprise retainer package provides you with both a new, bespoke standard contract and a new, bespoke senior personnel employment contract. Not only this, but unlike our other retainer service packages which provide for a standard employment contract every other year, the Enterprise package provides for both of these contracts to be reviewed every year, or for two new such contracts to be advised on and drafted each year, subject to the client's requirements.

Materially discounted hourly rates and flexibility

Time included as part of this package is discounted by a generous 22% compared to the normal standard hourly rate of one of Holmes & Hills' Employment Law specialists (£175 +VAT compared to £225 +VAT).

Whilst the amount of time included in the package is material, in the event you find you and your team have utilised all of the hours before the term end, additional time required can be purchased at a rate discounted by 15% compared to the standard hourly rate.

Get expert legal advice

To discuss the specific needs and circumstances of your business, or for more information on the Enterprise retainer service, call 01206 593933 and speak with David Dixey, Employment Law specialist.

ENTERPRISE LEVEL

£800 +VAT per month
£800 +VAT set-up
Minimum 12 month contract

Hours of advice/drafting per annum	35
New, bespoke standard employment contract	Yes
New, bespoke senior personnel contract	Yes
New, bespoke handbook	Yes
Value of discount on standard hourly rate	22%
Review of existing wider personnel documentation and policies	Yes
Provision for advice on and drafting of settlement agreement	Yes (3)
Initial training session for directors/management at client premises*	Yes
Email updates with changes to law/practices	Yes
Employment Law Update held at client premises*	Yes
Discount on additional time required/purchased	15%

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