

Conducting Random Personal Searches

“Can you carry out random personal searches of staff, to say prevent wrongdoing?”

If your contract does not include a specific right to search clause, then you’ve no legal right to do so. If you still attempt to do so you could be guilty of assault and/ or be subject to a constructive dismissal claim if your employee resigns. If you suspect theft, then call in the police. **Introduce a new contract clause** – if you don’t already have one. There will need to be a consultation period & you will have to explain why & for what reasons the searches will take place. This change can be incorporated into your handbook. However even if you have a watertight clause, there are some golden rules. (1) Search must be carried out in a private area (2) the person carrying out the search must be a trained security staff member or designated manager of the same sex as the person being searched (3) A witness not associated with the employee must be present i.e. a manager from another dept. (4) You must have reasonable cause, otherwise stick to bag searches (not even turning out pockets) (5) Make sure searches are definitely random.

New Planning Rules put ‘Town Centres’ First

“Proposals to extend planning res’ will breathe new life into our high streets & rural towns”

The Dept. for Communities & Local Government says ‘Town Centre First’ will enable unused or unused buildings to be revitalised by reducing red tape for businesses & developers., with the intent of increasing spending & footfall. The relaxations will also allow empty buildings in rural areas to be converted into free schools, nurseries or homes. The main elements of the proposals are to allow conversions:-

- (1) Retail buildings to homes to increase affordable housing
- (2) Retail conversions to banks/buildings societies
- (3) Other commercial premises to nurseries
- (4) Agricultural to residential or schools to again increase the pool of affordable homes and child care provision.

HSE Myth Busting – Their responses

“Myth – Kids Must Wear Goggles to Play Conkers”

Reality – This is one of the oldest chestnuts around, a truly classic myth. A well-meaning head teacher decided children should wear safety goggles to play conkers. Subsequently some schools appear to have banned conkers on ‘health & safety’ grounds or made children wear goggles, or even padded gloves!

Realistically the risk from playing conkers is incredibly low and just not worth bothering about. If kids deliberately hit each other over the head with conkers, that’s a discipline issue not health & safety.

“Myth – Workers are Banned from Putting up Christmas Decorations”

Reality – Bah Humbug! Each year we hear of companies banning their workers from putting up Christmas decorations in their offices for ‘health & safety’ reasons or requiring the work to be done by a ‘qualified’ person.

Most organisations including HSE & local councils manage to put up their decorations, celebrating the spirit of Christmas without a fuss.

Giving References, What to do!

“The law is clear you must stick to the facts, no personal opinions. You can protect your position further”

Stick to Standard References Only- Just give basic employment details such as dates employed & position held but include a statement to the effect that “We provide only standard references and no negative inference should be inferred from this policy”. If asked to complete a third party form, then you should probably refuse.

Who writes it ? – Ideally it should be the employee’s line manager but if no longer available it should be a senior manager or director. Set out a clear policy on how references should be written.

Other rules? – An employee may ask a colleague to provide a reference in a personal capacity, you can’t do anything about this other than instruct employees that they should make it clear that any reference provided is in a purely personal capacity and that references should not be supplied on business networking sites such that they could be construed as being from your company.

Home Businesses Hit 2.5 million

“Small businesses run from home account for 52% of small businesses and number 2.5 million”

Direct Line for Business (DL4B) analysed figures from the Office for National Statistics (ONS) & reports that:-

- (1) These businesses represent 8% of the workforce in the UK
- (2) In south-east England home workers amount to over 430,000 but the figure in the north-east is only just over 68,000.
- (3) Men outnumber women, being twice as likely to run a small business from home.
- (4) In Hertfordshire home businesses account for 27% of the workforce. DL4B found that tax & insurance take a back seat when home businesses are planning their affairs with many failing to properly insure stock or take out the appropriate employers liability insurance/ accident cover/ public liability etc.

HSE Myth Busting – Their responses

They just sensibly provide their staff with suitable step ladders to put up decorations.

“Myth- Health & Safety Risk Stops Children Playing ‘Pin the Tail on the Donkey’”

Reality – we recently read that the traditional party game ‘pin the tail on the donkey’ is allegedly under threat because parents consider it a ‘health & safety’ risk. Not trusting children with drawing pins seems a little overprotective to us. After all, millions of children have been traditional party games like this for years without any problems. Was this just a marketing ploy to drum sales of party games?

“Myth – New Regulations Would Require Trapeze Artists to Wear Hard Hats”

Reality – Despite being widely reported at the time & regularly reported since, this story is utter nonsense. There never were any such regulations. Hard-hats do an excellent job of protecting building workers from falling debris – but they have no place on a trapeze. For the Top 10 myths & some great posters go to :-

<http://www.hse.gov.uk/myth/top10myths.htm>