

# HR NEWSLETTER

**If you're hiring someone new, you must check that they have the legal right to work in the UK before they start**

**That applies to every role and every nationality.**

Skip it and you risk fines of up to £60,000, plus serious damage to your business and reputation.

**Here's 3 ways to check right to work:**

### **1. Manual check:**

See the original passport, visa or other approved document (in person or live video while you hold the originals), check it matches the person and keep a dated copy for the duration of employment plus 2 years.

### **2. Digital Verification Service (DVS):**

Only for British or Irish passports. A provider verifies the passport digitally, but you're still legally responsible.

### **3. Home Office online check:**

For anyone with digital status (eVisa). The worker gives you a share code and date of birth. You run the check on gov.uk, confirm their photo matches and save the profile page.

**Here are some common mistakes you might make:**

- Accepting expired or invalid documents
- Forgetting follow-up checks on visas
- Not keeping secure dated copies
- Assuming checks only apply to non-UK staff
- Being inconsistent (which can lead to discrimination claims)

**Here's what you should do to stay compliant:**

- Check documents before day 1
- Record the exact date of the check
- Keep copies securely for the duration of employment plus 2 years
- Apply checks consistently to everyone
- Set reminders for visa follow-ups
- Destroy documents securely after the retention period

**Get in touch if you need some support with getting this process right internally.**

## LATEST NEWS

### **Are your team oversharing?**

New research shows that half of employees find oversharing at work annoying. Gen Z workers are twice as likely to share personal details as older colleagues. In small businesses this can quickly become disruptive. Oversharing eats into focus, unsettles teams and can even trigger complaints if sensitive topics are mishandled.

#### **What's the solution?**

- Set boundaries from the top.
- Address issues early with a quiet word about appropriate workplace conversation.
- Give managers the confidence to redirect personal chats.
- Create structured check-ins so that employees feel heard without disrupting team flow.

Boundaries aren't about being unfriendly. They're about creating an environment where everyone can work effectively.



# Unfair dismissal rules set to change: is your business ready?

**The government is proposing a major change to unfair dismissal law.**

Right now, employees need 2 years' service before they can claim unfair dismissal. By 2027, this could be reduced to 6 months, or even day one.

This means that even your newest employees could challenge dismissal decisions at tribunal.

## Why this matters

- More employees could access tribunal claims.
- Businesses with weak probation or onboarding processes will be most at risk.
- Defending a claim is costly, time-consuming and stressful.

## How to stay ahead

The good news is that you've got time to prepare. Instead of panicking, use this as an opportunity to improve your employee experience. When people feel supported, valued and clear about expectations from day one, they perform better and stay longer. That reduces both turnover and legal risk.

## A simple action plan

- **This month:** Review your last few dismissals. Could you confidently defend them at tribunal?
- **December:** Create a one-page onboarding plan. Who checks in with new starters? How do you track progress?
- **Q1 2026:** Spend dedicated time refining how you and your managers handle probation.
- **By mid-2026:** Test your new approach with every hire. Keep what works, fix what doesn't.

Businesses that prepare now will take these changes in their stride. Their people will be too busy succeeding to make claims. Those that wait could find out how expensive tribunal claims really are.

**If you'd like help with strengthening your probation process and building a first-class employee experience, let's talk.**

## LATEST NEWS

### Disability discrimination claims are rising rapidly: is your business at risk?

Disability discrimination claims jumped 40% last year, now accounting for nearly a third of workplace disputes. Average payouts run to £14,000, with many cases going far higher. That's before legal costs and reputational damage. Long-term mental health issues, significant menopause symptoms and chronic illnesses can all qualify as disabilities if they substantially affect daily activities. Most SMEs don't realise this until facing a claim.

#### Common failures:

- Dismissing adjustment requests as too difficult
- Treating mental health differently from physical conditions
- No clear process for disability disclosures
- Managers making decisions without understanding their legal duties

**Your action plan:** Train managers to recognise and respond to adjustment needs. Review policies to cover the full legal definition. Document every conversation. Small changes prevent big problems.

### When "zero tolerance" policies put you at risk of unfair dismissal

Wetherspoons lost a tribunal after sacking a supervisor who accidentally applied the wrong staff discount.

The judge said their zero-tolerance approach ignored common sense. Not every mistake is gross misconduct.

Check your disciplinary policies. Can you apply judgement based on the situation? If everything's black and white, you could be asking for trouble.

**Need help with getting the balance right? Get in touch.**

# Your top HR questions

## Can I stop staff from posting about work on social media?

You can set some ground rules about confidential information and not badmouthing the company, but you can't control everything they post.

Write up a social media policy so that everyone knows where the line is. Just remember, if you do take action over a post, it needs to match the offence.

## Can I change someone's job title without changing their contract?

Depends on what's in their contract. If their job title's written in there, you need them to agree to any change. And be careful, if you demote someone's title without their agreement, they could claim constructive dismissal.

## What happens if an employee refuses to take their holiday before the year-end?

You can actually make them take it, just give them notice that's double the holiday length (so 2 weeks' notice for 1 week off). If they still won't take it and the year ends, they may lose it unless your contracts allow carry overs.

It's best to encourage people to book time off throughout the year than deal with a pile-up at year-end.

## Need a confidential chat?

If you have a problem brewing in your business, you're worried about something or you simply need some expert HR support then please get in touch with us for a confidential chat.

A quick conversation could save you from a very costly mistake and we could give you the clarity you need to decide your next steps with confidence.

Whether you're a new or existing client, we offer a free 30 min chat (without any obligation to buy from us in the future).

Contact us: [nicky@windmillhr.co.uk](mailto:nicky@windmillhr.co.uk)



**YOUR HR EXPERT**