

MIND THE GAP 2021

Understanding and addressing the divide between employer and employee in the post-pandemic workplace





Gavin Snell
CEO, WorkNest

The relationship between employer and employee is under pressure.

With the long-term repercussions of the pandemic on the workforce now becoming clearer, organisations and their staff are grappling with new ways of working as well as trying to manage the challenging macroeconomic environment. Much of this is as a consequence of, or has been accelerated by, COVID-19.

Hybrid working is the new buzz phrase. The advantages are understandable, but the reality for many organisations is difficult. As employers and their employees find their feet, differences in opinion and expectation are coming to the fore.

Our 'Mind the Gap' research has been conducted amongst thousands of employers and employees nationwide. It evidences the current divide between these two groups across a whole host of employment and HR matters. The good news is that the gap isn't unbridgeable – but organisations must take heed of the current sentiment amongst employees and respond appropriately. Those who continue with business as usual will inevitably face mounting concern.

At WorkNest, our aim is to help business owners and leaders proactively solve problems, ensure regulatory compliance and achieve commercial objectives. The pandemic has left an indelible mark on employer-employee relations and now is the time for us all as business leaders to address the situation. Accompanying the findings in this report, several of our senior experts offer their observations and advice as to the best course of action to take going into 2022. Be prepared and become a champion for your people.

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MIND THE GAP 2021

We commissioned London-based market research agency Sapio Research to undertake an independent and nationally representative survey of business decision makers (employers) and employees between 27 August - 10 September 2021.

491

employers

15-150 employees

- Owners, MDs and CEOs

150-500 employees

- HR, Finance and Operations Directors
- Other senior management

500-5,000 employees

- HR, Finance and Operations Directors
- Other senior management

1,061

employees

19

Major sectors and industries.

Executive Summary

Discrimination in the world of hybrid work

Our analysis of the findings shows that while employers and their staff are aligned in some areas and share certain views and concerns, there are currently many worrying disparities. We identified a mounting risk of discrimination in the world of hybrid work. Concerningly, only half of employers are confident that office-based and home-based employees will be treated evenly and fairly in the next 12 months. Employees are even more doubtful about their employer's ability to be even and fair.

The future of work

On the future of work, bosses are more optimistic than their workers. We found evidence that a performance, happiness and trust gap has emerged. Almost half of businesses predict that staff motivation and performance will increase post-pandemic, whereas a third of employees expect it to decline. The findings also suggest that employers have overestimated how well they have handled the pandemic and the subsequent impact on employee loyalty.

The rebalancing of power

Of note for employers, many employees revealed they are willing to stand up for themselves on workplace issues. While a third say they wouldn't hesitate to take action against their employer, a high proportion of employers are reluctant to do the same against their workforce. 64% said they would put off taking action. The pandemic is partly responsible for this rebalancing of power, with almost a third of employees saying they are now more likely to take action against their employer as a result.

Workplace health and safety

One positive side effect of the pandemic is that both parties agree health and safety will remain a priority. Over half of employers say the pandemic has fundamentally changed how they view workplace health and safety, but most say they are still 'reactive'. Encouragingly, however, our research has indicated a greater commitment to workplace health and safety as a result of lessons learned during COVID.

In conclusion to this report, we offer a set of recommendations to help employers from 15 to 5,000 staff close the gap. Employers must get smart on hybrid working, address the difference in trust and happiness with employees, be prepared for potential action raised by employees, and keep health and safety a priority. Doing so will give you a competitive advantage in what will undoubtedly be another challenging year ahead for all organisations.

Report highlights:

52%

of employers are confident that office-based and home-based employees will be treated evenly and fairly in the next 12 months.

64%

of employers believe staff are now more loyal to their company.

23%

of employees say they feel less loyal as a consequence of their employer's COVID response.

45%

of businesses predict that staff motivation and performance will increase post-pandemic.

31%

 of employees expect a decline.

28%

of employees wouldn't hesitate to take action against their employer on a work issue.

64%

 of employers would put off taking action.

44%

of businesses believe staff happiness and engagement will increase.

32%

 of employees feel it will decrease.

59%

of business decision makers say the pandemic has fundamentally changed how the organisation views workplace health and safety, and that it will continue to be a priority going forward.

51%

 of employees agreed that health and safety standards will be maintained over the next 12 months.

The mounting risk of discrimination

Only half of employers are confident they'll treat employees evenly and fairly



01.

01

The mounting risk of discrimination

Our research has identified that only half (52%) of employers are confident that office-based and home-based employees will be treated evenly and fairly in the next 12 months. Compounding the issue, employees are even more doubtful about their employer's ability to be even and fair. Only 40% are confident that their employer will be.

One of the greatest areas of concern is development and progression opportunities. With workforces divided between home and office locations, just 44% of business decision makers surveyed said they are confident their employees will be treated evenly and fairly when it comes to progression and promotion prospects.

However, the greatest employer-employee gap concerns expectations around pay and reward. While 54% of employers are confident this will be fair and even, only 40% of employees agree.

Our research also reveals that 17% of employees think where they work will impact their training and development opportunities. Yet only 9% of employers share this concern, and 45% are intending to increase their learning and development spend.

On a more positive note, nearly two-thirds (63%) of businesses say they are actively working on providing opportunities for career progression. However, just 50% of employees report that their business is managing this – highlighting a lack of communication. This is particularly worrying as 10% of employees say that learning and development is what matters most to them in respect to their overall happiness at work.

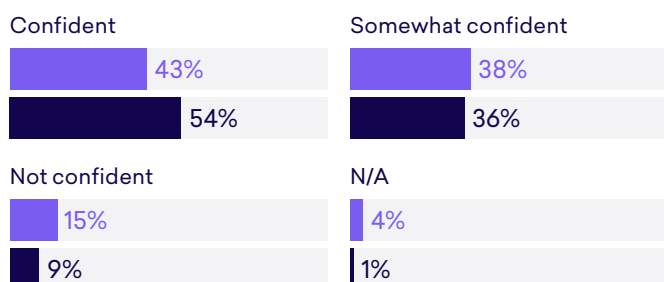
In fact, when employees were asked what might prompt them to consider taking legal action against their employer, a lack of communication emerged as the most likely cause, followed by a lack of consistency, fairness and equality (read more on this in Key Finding 3). With this in mind, businesses should ensure that homeworkers and office-based employees have equal opportunities, that they are treated evenly in all areas, and that both remain engaged, involved and informed – or the consequences may be costly.

Asked what they think the biggest challenges facing their employer will be post-pandemic, employees' top answer was the ability to keep all staff happy and managing different needs and personalities. Employers said it is ensuring that those working from home feel included and involved.

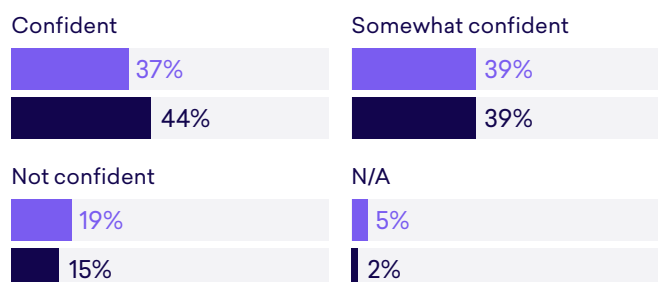
Over the next 12 months, how confident are you that office-based and home-based employees will be treated evenly and fairly in the following five areas?

■ Employees ■ Business Decision Makers

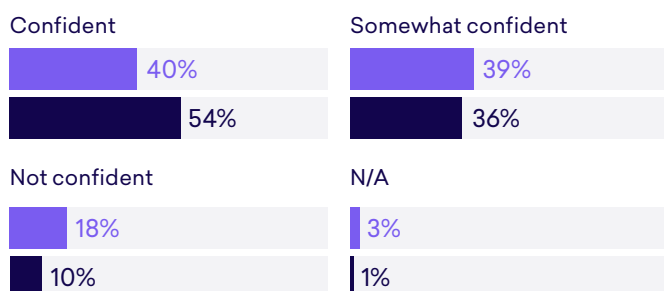
1. Relationships with managers



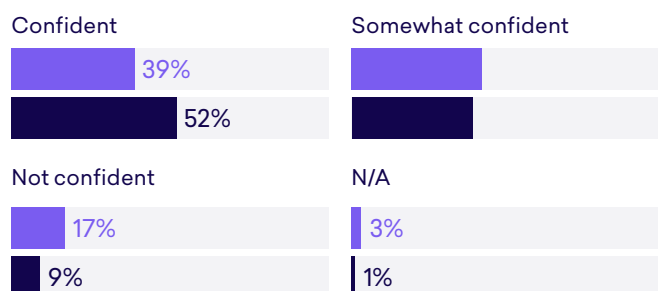
2. Progression/promotion prospects



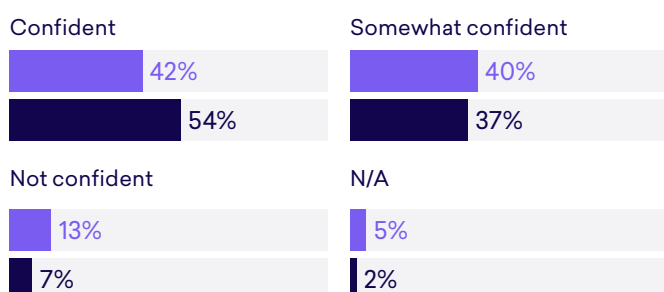
3. Pay and rewards



4. Training and development opportunities

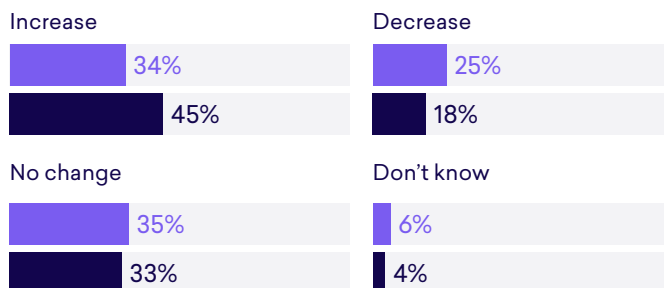


5. Being asked to work on certain projects



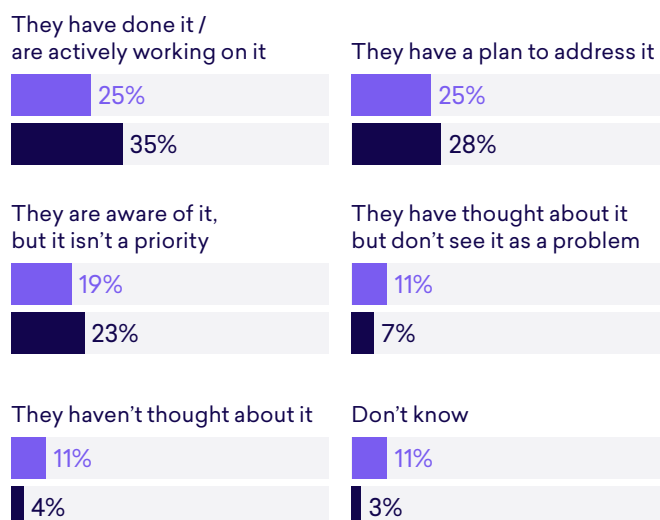
In the next 12 months, do you predict that staff learning and development spend will increase or decrease at the business you work for?

■ Employees ■ Business Decision Makers



To what extent do you think your business is managing opportunities for career progression?

■ Employees ■ Business Decision Makers



What do think will be the three biggest challenge your employer faces post-pandemic?

■ Employees ■ Business Decision Makers



Expert insight

Ensure you have policies in place and managers know how to implement them

These findings sound an alarm bell. Given the growing popularity of hybrid work, SMEs must have policies and manager training in place to ensure staff receive the same support and opportunities as their office-based colleagues and mitigate the risk of unfair treatment of workers. Failing to do so is likely to spark grievances, which could quickly escalate, leading to time-related costs, reputational damage and – in worst-case scenarios – even expensive Tribunal claims. Small businesses mustn't duck the issue.

For larger businesses, this will be more of a 'review and refresh' exercise. A failure to do so may not only lead to disenchantment and demotivation but could, in some cases, lead to claims for discrimination if employees believe that their career is being negatively impacted due, for example, to caring responsibilities. It should not be a case of out of sight, out of mind."



James Tamm
Director of Legal Services

Expert insight



Be alert to indirect discrimination

Hybrid or flexible working is more likely to benefit women, so the refusal of it can lead to indirect sex discrimination claims. You may have heard about the recent case involving an estate agent who was awarded £185,000 in damages after her request to leave work earlier to collect her daughter from nursery was denied. This was an indirect sex discrimination claim, not any claim under the flexible working regime.

While the risk of finding yourself in a similar scenario is relatively low, it is still a concern, particularly to SMEs. If individuals working from home due to caring responsibilities are not given the same opportunities, they could raise claims of sex or possibly disability discrimination.”



Donald MacKinnon
Director of Legal Services

Expert insight

Seize the opportunities presented by hybrid working to positively impact retention

Leaving aside concerns about legal claims, if people don't think they are being treated fairly or given equal opportunity (for example, their homeworking request has been denied or they feel they are being left behind as a result of remote working), it could result in a drain of talent.

Employers who not only embrace flexibility but put measures in place to ensure employees feel just as included wherever they work stand to have an advantage. This can be as simple as ensuring all employees are informed of job and training opportunities and that, if you are organising a meeting in the office, home-based colleagues are invited to attend either in person or via online tools such as Zoom or Teams."



Donna Gibb
Head of Client Services

Expert insight

Communicate and explain your rationale to gain commitment

Communication has never been more important than it is right now and it's vital to set expectations from the start. Hybrid working was a concept that we very rarely used two years ago and now employers and employees alike are expected to understand what this suddenly means for them. Developing a hybrid working policy which sets out the planned way of working with this new concept is vital.

Being clear as a business why you have adopted the way of working that you have chosen is vital too – employees are more likely to commit if they can see that you have thought carefully about how the policy will serve the needs of your business, its clients, AND your employees.”



Hannah Copeland
HR Business Partner

Bosses are more optimistic than workers

A performance, happiness and trust gap has emerged between employers and employees



02.

02 Bosses are more optimistic than workers

We have uncovered that employers are certainly more optimistic about the future of work than their employees. Almost half of businesses (45%) predict that staff motivation and performance will increase post-pandemic. A third (31%) of employees expect a decline.

Similarly, 44% of businesses believe staff happiness and engagement will increase, whereas 32% of employees feel it will decrease. 42% of employers predict that trust between management and employees will increase, while just 28% of employees agree. In fact, 38% of employees expect the opposite.

Our research also suggests that businesses are overestimating how well they have handled the last 18 months and the subsequent impact on staff retention.

Two-thirds (64%) believe staff are now more loyal to their company; in reality, a more modest 48% of employees say they are more likely to remain with their employer long-term. 23% say they feel less loyal as a consequence of their employer's COVID response.

Concerningly, 19% of employees said they wouldn't tell their manager if they had an issue with something at work. 10% said they would be more likely to bypass their manager and go straight to HR or the most senior leader. Others said they would take matters into their own hands through potential legal action, sit on an issue and never raise it, or complain to a colleague about it.

Disconnect in perception of managers' abilities

Across the board, employers are more confident than employees in their managers' ability to respond to and resolve issues. This includes dealing with sickness and absence, flexible working requests, mental health, and bullying, harassment and discrimination.

However, performance management emerged as the area where there is the greatest gap in confidence. 54% of employers are confident about their managers' ability to manage performance-related matters, versus just 38% of employees.

Future challenges

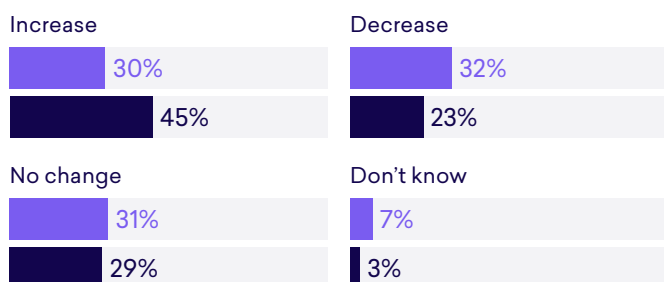
Employer and employee were on similar – but not identical – pages when it comes to predicting businesses' biggest challenges post-pandemic.

Both believe that keeping all staff happy and ensuring those working from home feel included and involved will be amongst the top three biggest obstacles for employers to overcome. However, employees forecast that increased staff turnover will be businesses' second biggest problem, while business decision makers said managing the increased focus on health and safety will be a larger issue.

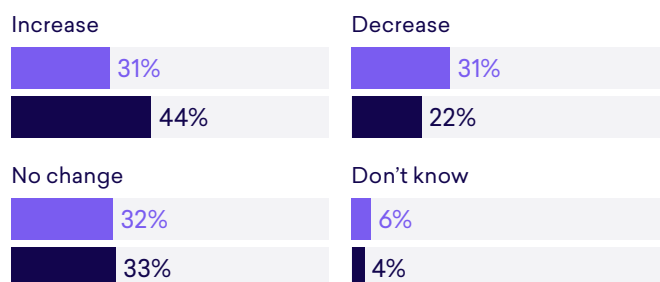
In the next 12 months, do you predict that the following will increase or decrease at the business you work for?

■ Employees ■ Business Decision Makers

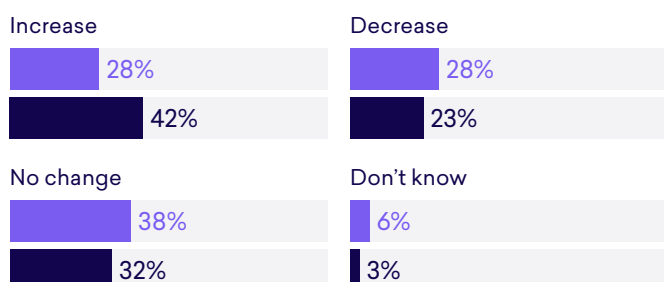
1. Staff motivation and performance



2. Staff happiness/engagement/fulfilment



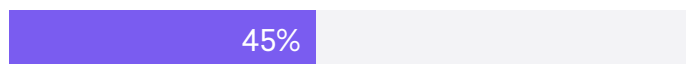
3. Relationship/trust between management and employees



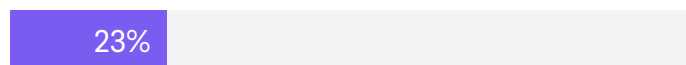
Has the way your employer handled the pandemic made you more or less likely to remain with them long term?

■ Employees

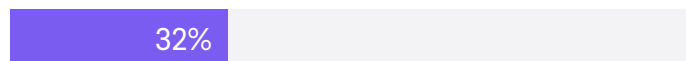
They handled it well and I'm now more loyal



They didn't handle it well and I feel less loyal



No change



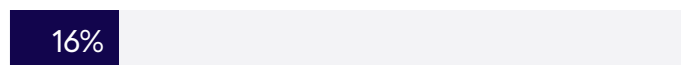
Overall, do you think your handling of the pandemic has positively or negatively impacted staff retention in your organisation?

■ Business Decision Makers

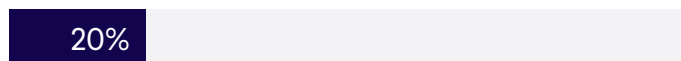
Positively, staff are more likely to stay with the company



Negatively, staff are less likely to stay with the company



No change



Would you tell your manager if you had an issue with something at work?

■ Employees

Yes, I feel able to speak openly to my manager and trust that they will deal with my issue appropriately

45.8%

Yes, I feel able to speak openly to my manager but I'm not confident it would be dealt with

35%

No, I would be more likely to bypass my manager and go straight to HR / the most senior leader

10.2%

No, I have a good understanding of my rights so would take matters into my own hands through legal action if the issue was serious

2.8%

No, I would be more likely to sit on an issue and never raise it

3.9%

No, but I'd complain to a colleague about it

2.4%

If an employee had an issue with something at work, do you believe they would raise it with a manager?

■ Business Decision Makers

Yes, I believe employees feel comfortable to speak openly to managers and that managers have the competence to deal with these issues

54.8%

Yes, I believe employees feel comfortable to speak openly to managers, but managers often don't have the capability/knowledge to deal with the issues that are raised with them

33.4%

No, employees would be more likely to bypass their managers and go straight to HR / the most senior leader

6.7%

No, employees often believe they have a good understanding of their rights and increasingly take matters into their own hands through legal action, etc. if the issue is serious

1.2%

No, we suspect employees often sit on an issue rather than raise it

3.1%

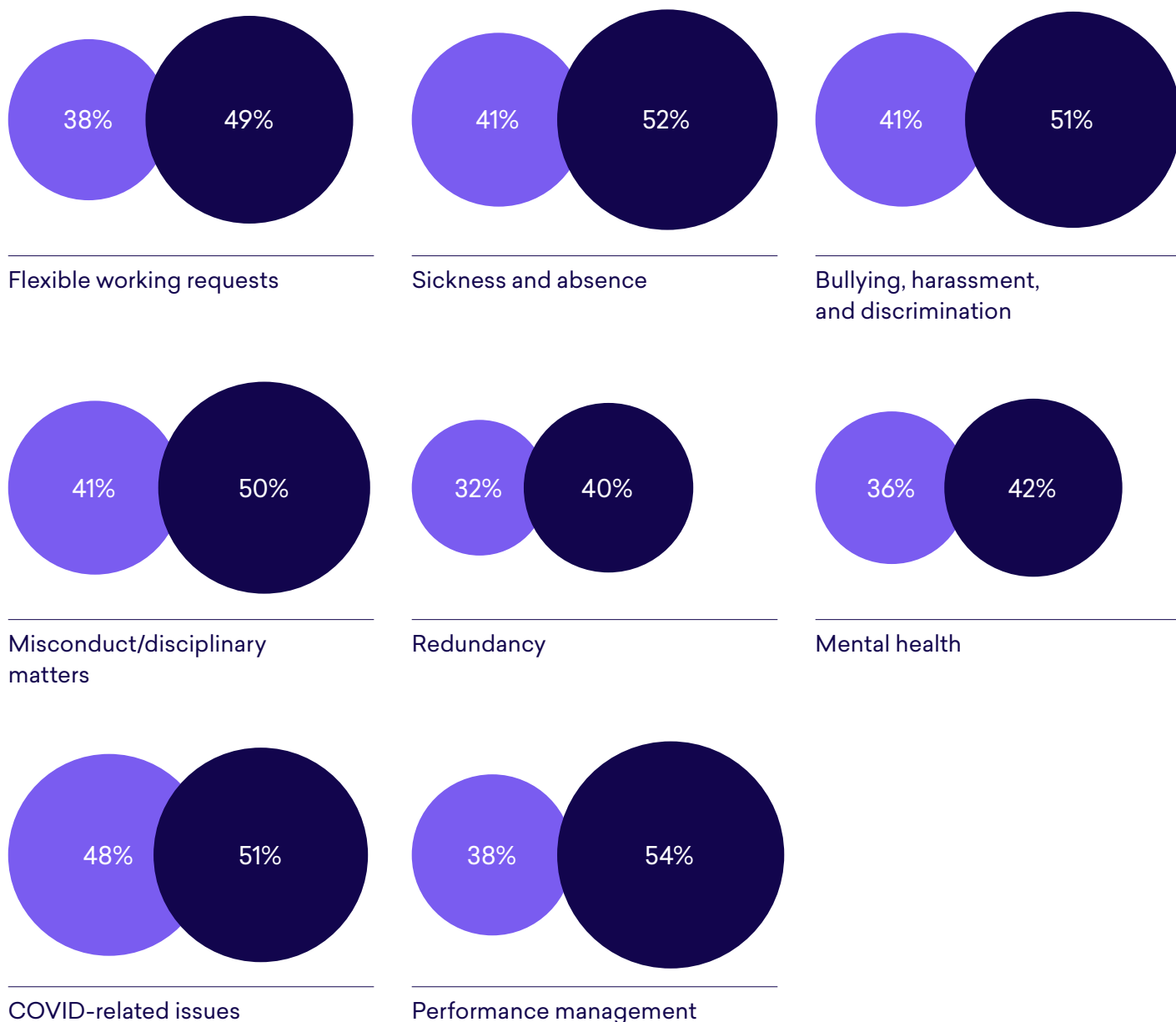
No, but we suspect they would complain to colleagues about it

0.8%

Are you confident in your managers' ability to respond to/resolve the following issues if you raised it with them?

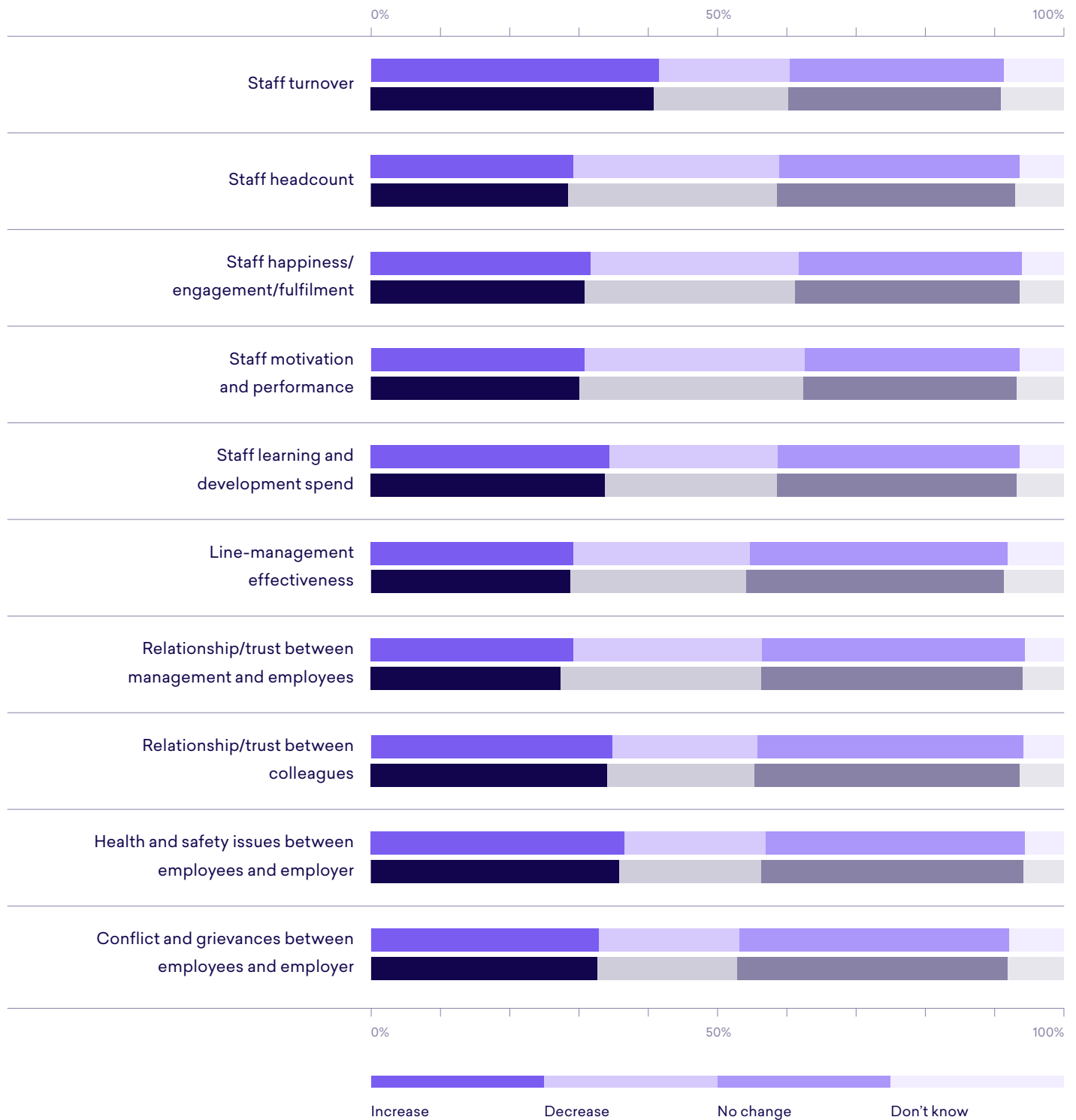
■ Employees ■ Business Decision Makers

% figure represents the number of respondents who answered 'Yes'.



In the next 12 months, do you predict that the following will increase or decrease at the business you work for?

■ Employees ■ Business Decision Makers



Expert insight



Focus on building back confidence and trust

These figures show a significant disconnect between bosses and workers. With staffing already a critical issue in most sectors, the fact that a quarter of employees feel less loyal now shows the need for urgent action.

Employees will have felt very vulnerable over the past 18 months, not knowing how the pandemic was (or still is) likely to impact their employment. It's vital, therefore, that employers large and small put plans in place to restore and strengthen relationships and start to build confidence and trust back up with their employees. They can start doing this by understanding the issues that impact engagement within their business."



Hannah Copeland
HR Business Partner

Expert insight

Listen

Employers must acknowledge the impact of the pandemic era on their teams. Everyone has been affected in different ways and it is clear that employees' expectations of their employers have changed. Actively listening to your staff and understanding their individual concerns and motivations is more valuable than ever before.

Conducting regular engagement surveys, or using the new concept of 'pulse' surveys, helps to build up a picture of what work needs to be done specifically to improve engagement. Interventions can then be planned off the back of any areas which, from the survey, show concern. It should hopefully also reveal areas where things are working well to allow you to celebrate successes with your employees."



Annabelle Carey

Head of Organisation Development Services

Expert insight

Invest in developing your new breed of managers

These are complex times. People managers need to be better equipped and have confidence in their ability to deal with a wider range of issues. Again, communication is key. This must include clear processes within businesses so that both employee and employer concerns can be addressed quickly. Investing in the development of your managers and support structures will aid early intervention, speedy resolutions and enhance the overall performance of teams.”

Managers at all levels of the organisation must have the confidence and skill to engage with their teams and develop authentic, inclusive, trust-based relationships. This will be key to healthy employee relations as well as talent attraction and retention.”



Donna Gibb
Head of Client Services

Many employees will act on workplace issues

Almost a third of employees
wouldn't hesitate to take action
against their employer



03

03 Many employees will act on workplace issues

Our research has revealed a growing inclination for employees to assert their rights and take their employer to task over work-related matters post-pandemic. We found that almost a third (28%) of employees wouldn't hesitate to take action against their employer on a work issue.

18% said they would do so because they understood their rights as an employee, and a further 10% said they would take action anyway – even if they weren't sure of their rights – if they felt they had been unfairly treated. Only a quarter (26%) said they would put off taking legal action due to not being 'fully clued up' on their legal rights.

Our findings also suggest that the pandemic has played a part in emboldening employees and raising their awareness of the options available to them when facing work-related disputes. In fact, the same percentage of employees (28%) say their experience at work during the pandemic, and what they have learned about their rights during this time, has made them more likely to take action against their employer in future.

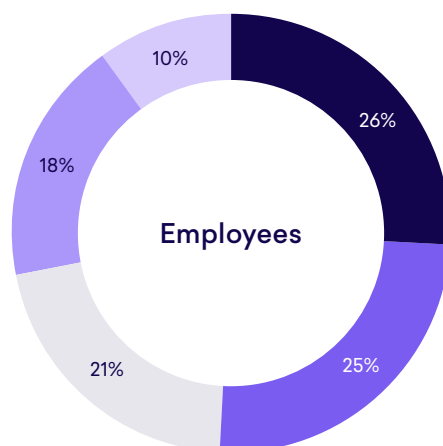
And it seems businesses are aware of this fact. When asked whether they would put off taking action against their employees on a work issue, 64% of business decision makers said yes, with 31% attributing this to employees being more aware of their rights.

Other factors precluding employers from enforcing their position include concerns about making a mistake (21%) and the inability to easily replace staff (12%). Just 33% said they had the knowledge within the business or external support required to confidently navigate these situations.

It is all the more worrying that 18% of businesses and 20% of employees aren't confident in managers' ability to respond to and resolve employee relations issues, making it less likely that they will be dealt with internally before they escalate into legal proceedings. What's more, one in five employees (19%) say they wouldn't tell their manager if they had an issue with something at work – reducing opportunities to remedy grievances and requiring managers to detect issues themselves, something that will prove all the more challenging now that many employees are based remotely.

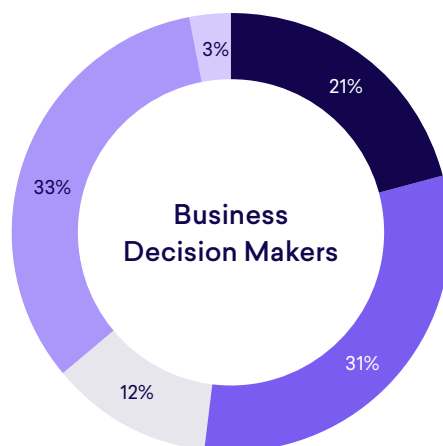
When asked what would prompt employees to lodge a complaint or bring legal action, a lack of communication (15%), a lack of consistency, fairness or equality in how employees are treated (14%), and a lack of clear post-COVID policies around vaccination and homeworking or mishandling of these issues (14%) emerged as the most likely causes.

Would you put off taking action against your employer on a work issue?



- Yes, I'm not completely clued up on my legal rights so wouldn't know if I had a case
- Yes, as an employee I think the odds are stacked against me
- Yes, I'd be worried about my current and future employment prospects
- No, I understand my rights as an employee and would take action
- No, even if I wasn't fully clued up on my rights, I would take action anyway

Would you put off taking action against an employee because you were unsure of the legal position?

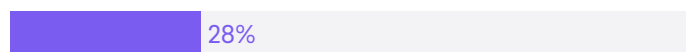


- Yes, we're often unsure of our rights which makes us hesitant to do anything
- Yes, we have been reluctant to take action recently because employees seem to be more aware of their rights
- Yes, we have been reluctant to take action because we don't feel we could easily replace staff
- No, we feel we have the knowledge in the business required to confidently navigate these situations
- No, even if we weren't fully clued up on the legal position, we'd take action

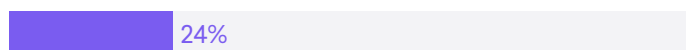
Has your experience at work during the pandemic, and what you have learned about your rights, made you more or less likely to take action against your employer?

■ Employees

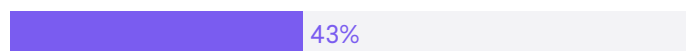
More likely



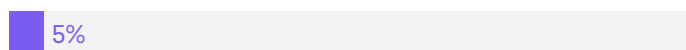
Less Likely



No change



Don't know



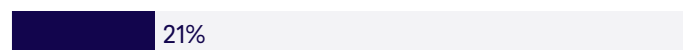
Has the experience of the pandemic, and that employees are more aware of their rights made employees more or less likely to take action against you?

■ Business Decision Makers

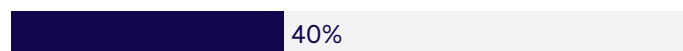
More likely



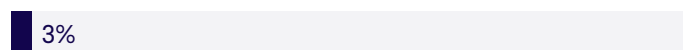
Less Likely



No change

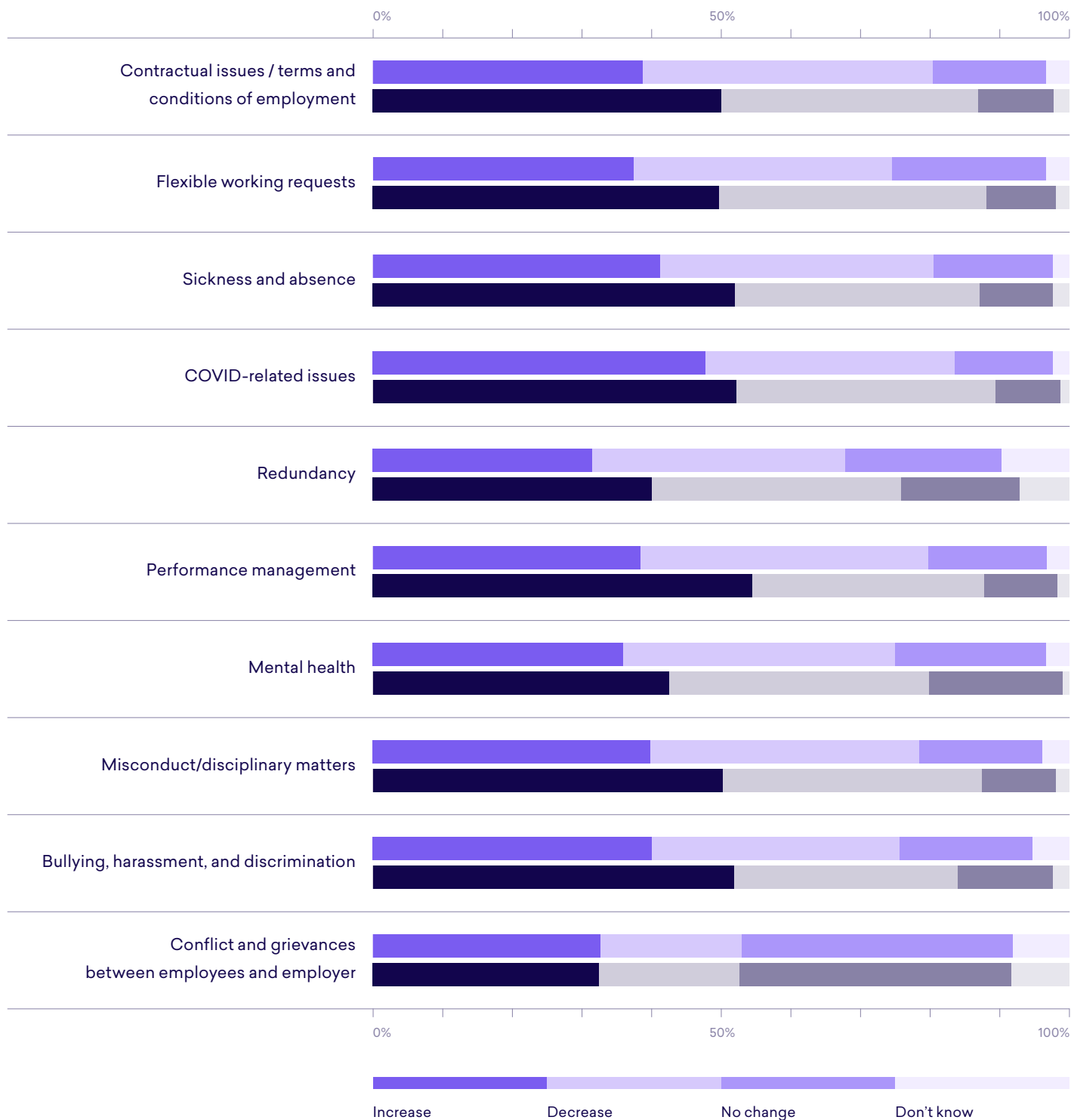


No change



How confident are you in managers' ability to respond to/resolve the following employee matters?

■ Employees ■ Business Decision Makers



Which of the following are most likely to lead to an employee complaint and/or legal action?

■ Employees ■ Business Decision Makers

A lack of communication, particularly when they involve changes that impact employees



A lack of consistency/fairness/equality of how employees are treated



A lack of clear post-COVID policies around vaccination, homeworking, etc. or mishandling of these issues



Poor handling of a situation (rather than the issue itself)



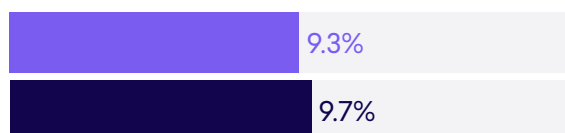
Workplace safety / whistleblowing – concerns being raised but not acted upon



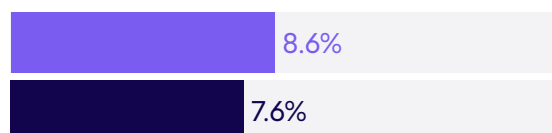
Managers doing things their own way and not following internal policies and procedures



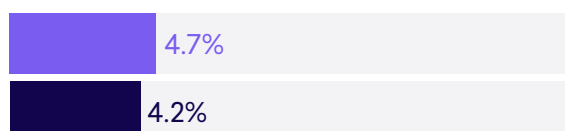
The company not living by its values or keeping its promises



Outdated contracts and company policies



None of these



Expert insight

Ensure issues are managed consistently to avoid claims

This paints a worrying picture. While employees are now more motivated to take issues further, employers are more reluctant to take action against their workforce. Given the staff shortages facing many sectors and the increased opportunities due to remote working, it might feel like employees are in the driving seat and employers' hands are tied. Businesses will need good knowledge of employment law, solid policies, and confident and competent managers to get around this, as failing to take action where it's needed could set a dangerous precedent about what employees can get away with.

Consistency is very important. For example, if you neglect to discipline one employee now – for whatever reason you're reluctant to do so – but do take action against another employee for a similar offence in future, you leave yourself open to grievances and even claims. Again, this requires skilled managers who are confident enough to approach situations and know how to apply your policies fairly and consistently."



Nina Robinson

Director, ESP Law Ltd

(part of WorkNest's sister company esphr)

Expert insight



Educate and equip your line managers

Obviously employers are worried about challenging employees and that's understandable. Employment legislation exists entirely for the benefit of the employee given the unequal nature of the parties but they need not be so fearful. Education and supplying people with the right tools to do the job can go a long way towards managing employee relations (ER) issues.

It's alarming that almost a fifth of employers aren't confident in line managers' ability to deal with ER issues. The good news is it's in the gift of the employer to do something about it, either via training, e-Learning or signing up for a service like ours.

Finally, nip things in the bud. 64% of decision makers being hesitant to take action against employees is incredibly high and potentially disastrous. Problems never go away – they snowball. Again, give people the tools to tackle problems and they are surely more likely to do so.”



James Tamm
Director of Legal Services

Expert insight



Don't underestimate the risk of claims

Our findings reflect the rise in Tribunal applications in recent years – one obvious measurement of employees acting on workplace issues. At WorkNest, we have seen a significant rise in Tribunals over the last 12/18 months.

The introduction of new rules and regulations in the workplace, especially furlough, meant that not only employers, but employees also, have had to get to grips with their rights and responsibilities. It's perhaps not surprising that this has resulted in employees being more clued up on their rights in general; employers must be alert to this increased risk and leave no room for error, as even the smallest mistakes or perception of unfair treatment could provide motivation for a claim."



Donald MacKinnon
Director of Legal Services

Health and safety to remain a priority

Over half of employers say the pandemic has fundamentally changed how they view workplace health and safety – but most are still ‘reactive’



04.

04

Health and safety to remain a priority

Encouragingly, our research has indicated a greater commitment to workplace health and safety as a result of lessons learned during the pandemic. More than half of business decision makers (59%) say the pandemic has fundamentally changed how the organisation views workplace health and safety, and that it will continue to be a priority going forward.

Over half of employees (51%) agreed that health and safety standards will be maintained over the next 12 months. A further 37% of employees and 36% of employers are 'somewhat confident' that this will be the case, saying health and safety may not be the number one focus but that standards will continue to be better than pre-pandemic.

Our finding that the pandemic may have improved health and safety standards is at odds with the HSE's annual fatal injury statistics, which revealed that there were more work-related deaths in 2020/21 despite fewer people working. This could be due to organisations and their employees becoming "hyper-focused" on COVID-19 at the expense of other "basic" workplace health and safety risks – a balance that will need to be addressed if standards truly are to improve.

While employees and employers appear to be on similar pages, the research found that 12% of employees expect that health and safety will revert back to being a sideline activity, compared to just 5% of employers. This could suggest that employees are sceptical that the organisation will maintain its commitment to health and safety long term or, equally, that employees themselves may lose interest in following workplace health and safety measures as the immediate threat of COVID-19 subsides. Developing a strong health and safety culture, led from the top, will therefore be imperative.

On the topic of health and safety culture, the report also revealed that most employees and business decision makers (36% and 35% respectively) would describe their organisation's health and safety culture as 'reactive'. In other words, safety is seen as important, but action is normally taken in response to incidents. 'Reactive' is the descriptor used for the second lowest level on the five-level 'safety maturity scale' – a tool used by many health and safety practitioners to benchmark a company's health and safety culture – suggesting that most organisations have a way to go when it comes to raising awareness, consistency, accountability and trust.

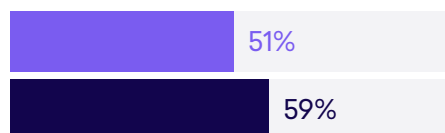
More worryingly, 12% of employees and 10% of employers described their health and safety culture as 'pathological' – the most primitive step on the scale – saying health and safety is seen as a waste of time.

When asked whether they believe health and safety issues between employer and employee will increase or decrease over the next 12 months, there was a remarkable similarity between both parties' responses. 36% of employees and 37% of employees predict a rise in these sorts of disputes; however, just as many (37%) on both sides expect that these sorts of issues will decline.

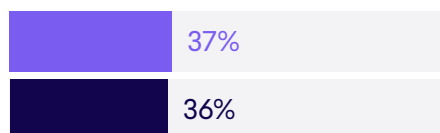
Now that restrictions have been lifted, how confident are you that health and safety standards will be maintained over the next 12 months?

■ Employees ■ Business Decision Makers

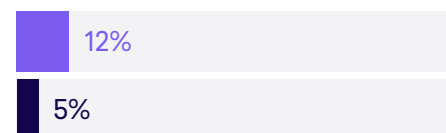
Confident – the pandemic has changed how the organisation views health and safety



Somewhat confident – standards will continue to be better than pre-pandemic



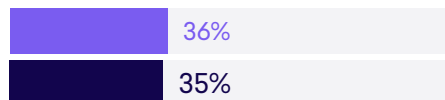
Not confident – health and safety will revert back to being a sideline activity



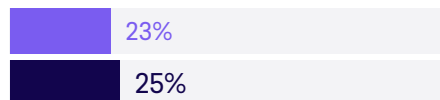
Which do you think best describes your organisation's health and safety culture?

■ Employees ■ Business Decision Makers

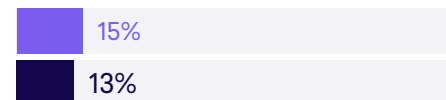
Reactive – safety is seen as important and action is taken whenever there's an incident



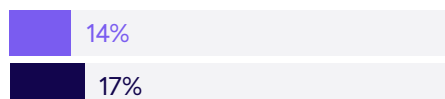
Calculative – there are systems in place to manage all hazards



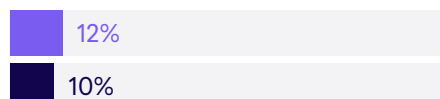
Generative – health and safety is embedded into how we do things



Proactive – we are always on alert for risks that may emerge



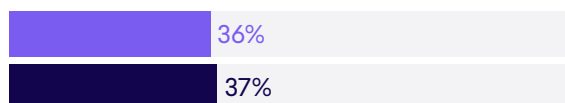
Pathological – health and safety is seen as a waste of time



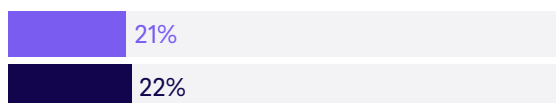
In the next 12 months, do you predict that health and safety issues between employees and employer will increase or decrease at the business you work for?

■ Employees ■ Business Decision Makers

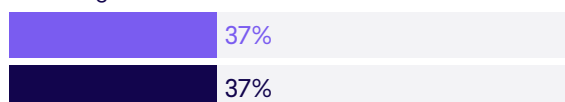
Increase



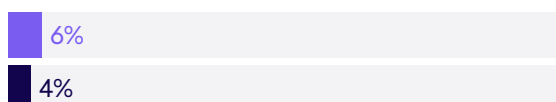
Decrease



No change



Don't know



Expert insight

Make health and safety everybody's business

The pandemic has shone a spotlight on the importance of workplace health and safety like never before, and has made the protection of workers an absolute priority for senior leaders. It has forced employers to implement control measures in order to remain open and comply with government guidelines and required employees to adjust to new ways of working in order to mitigate the risk of infection.

It's encouraging to see that this health and safety consciousness is expected to continue, and that there's a shared optimism and renewed interest from both employers and their workforce. After all, safety is a collective and collaborative effort; one simple way to ensure this is to involve workers in the risk assessment process."



Nick Wilson

Director of Health & Safety Services

Expert insight

Understand the principles of risk control

For those employers who feel overwhelmed by their health and safety obligations and aren't sure where to start, it's important to understand the principles of risk control, namely the 'Hierarchy of Control'.

Health and safety legislation requires employers to apply control measures in the order they appear within this hierarchy, from most effective (eliminating the hazard) to least effective (providing PPE). Only once you have exhausted the control measures required at the top levels because they are not reasonably practicable can you proceed to the next level."



Maria Leonard
Regional Health & Safety Manager

Expert insight



Be more proactive in your approach

Every organisation should aim to develop a generative health and safety culture, whereby health and safety is second nature and embedded into how things are done. Unfortunately, our research reveals that just 15% of employees and 17% of employers felt their organisation had achieved this feat. Those organisations with OSH management systems already in place will have adapted well, whereas those with no structure in place will have struggled. Most organisations have much room for improvement and there is plenty of guidance available to support this.

Only taking action when an incident occurs means missing out on valuable opportunities to remedy workplace hazards or unsafe practices before they result in harm. Reactive organisations will also find it much harder to adapt to unforeseen hazards, such as COVID-19, should they be introduced in future.”



Oliver Williams
Regional Health & Safety Manager

Expert insight



Focus on health and safety to help mitigate other workplace concerns

Our Employment Law team has certainly received lots of queries relating to employees questioning safety arrangements before they will consider a return to the workplace. For this reason, employers who may have previously paid lip service to health and safety must continue to give it the attention it requires, not only to keep people safe but to avoid associated workforce disputes and even whistleblowing claims.”



Donald MacKinnon
Director of Legal Services

Recommendations

Where organisations should focus their attention based on the issues identified in this report



05.

01

Get smart on hybrid working

Ensure you have policies in place and managers know how to implement them

Homeworking staff must receive the same support and opportunities as their office-based colleagues to mitigate the risk of unfair treatment.

Be alert to indirect discrimination

Hybrid or flexible working is more likely to benefit women, so the refusal of it can lead to indirect sex discrimination claims.

Seize the opportunities presented by hybrid working to positively impact retention

Embracing flexibility is just the first step. To really see retention benefits, put measures in place to ensure employees feel just as included wherever they work.

Communicate and explain your rationale to gain commitment

Develop a clear hybrid working policy, setting out your expectations. Don't forget to consider both the business and your employees.

02

Proactively close the employer-employee gap

Focus on building back confidence and trust

Put plans in place to restore and strengthen relationships and start to build confidence and trust back up with their employees.

Listen

Conduct regular engagement surveys, or 'pulse' surveys, to build up a picture of what needs improvement, where things are working well and where success should be celebrated.

Invest in developing your new breed of managers

Equip managers at all levels of your organisation with the confidence and skills to engage with their teams and develop relationships, better enabling early intervention and speedy resolutions.

03

Be prepared for potential staff action

Ensure issues are managed consistently to avoid claims

Businesses will need good knowledge of employment law, solid policies, and confident and competent managers. Consistency is very important.

Educate and equip your line managers

Use training, e-Learning or sign up for a service like WorkNest's to provide managers with the knowledge, tools and support to tackle employee relations issues and nip them in the bud.

Don't underestimate the risk of claims

Be alert to the increased risk and leave no room for error, as even the smallest mistakes or perception of unfair treatment could provide motivation for a claim.

04

Health & safety must remain a priority

Make it everybody's business

Safety is a collective and collaborative effort so be sure to involve workers in your risk assessment process.

Understand the principles of risk control

If you're not sure where to start, refer to the 'Hierarchy of Control' and use this to help guide and simplify risk management decisions.

Be more proactive in your approach

The pandemic has shown the value of developing a generative health and safety culture, whereby it is second nature and embedded into how things are done. Don't wait for an incident to occur.

Focus on health and safety to help mitigate other workplace concerns

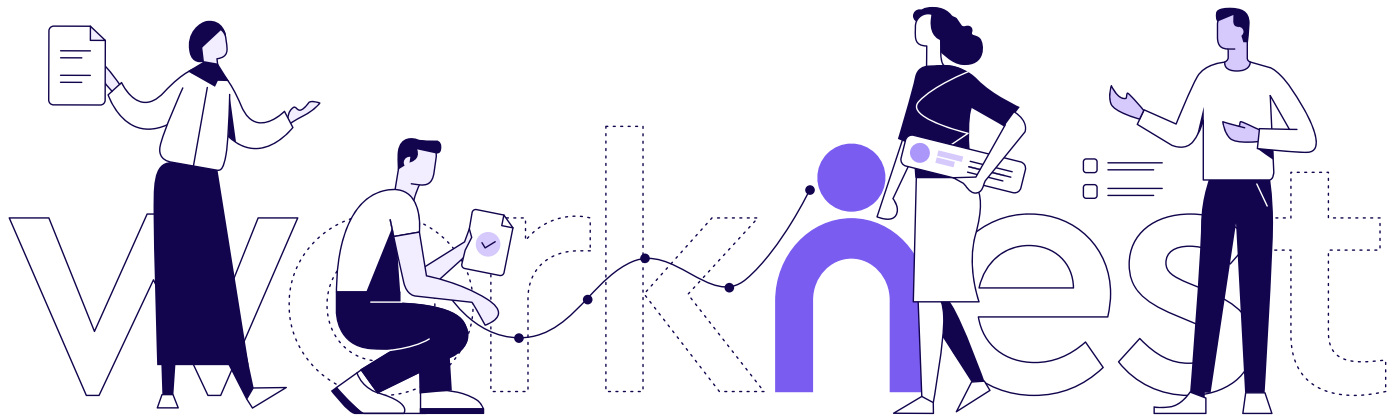
Not only is it important to keep people safe, but getting safety right will reduce the risk of associated workforce disputes and even whistleblowing claims.



Need support in these areas?

At WorkNest, our clients range from small businesses with fewer than 50 staff at a single location, through to large household names employing thousands of people at multiple sites across the UK. Whatever your size or sector, we have guidance and solutions to suit your needs.

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