

Training, investigations, and mediation – how we can help



Welcome

Ensuring compliance with employment law is simply good business. It protects your organisation while improving your employees' working environment.

The pandemic has resulted in a host of new issues and challenges for employers. As such, ongoing training is more important than ever to promote discussion and ensure understanding of the relevant legal obligations in a dynamic and changing environment.

In addition to providing advice and representation in relation to employment law issues, Bates Wells also specialise in:

1. **running employment law courses** for business leaders, managers, HR professionals and in-house legal teams;
2. **conducting workplace investigations**; and
3. **mediating workplace disputes.**

We offer a full range of employment-related training, covering everything from recruitment to termination.

Our trainers are all experienced, specialist employment lawyers, who deliver legal expertise in an interactive, accessible and engaging way.

Importantly, we believe that training should not only be about legal theory, but also the practical application of the law to everyday situations.

All of our courses have three key objectives:

1. **To present relevant and topical legal updates** in a clear and straightforward way
2. **To deliver training that is solution-focused** and that delegates can put into practice immediately
3. **To increase the skills and confidence** of delegates to handle everyday matters and avoid common pitfalls.

If you have any questions about what kind of training you or your organisation might benefit from, or if you're just starting to think about your training needs, please do get in touch. We would be delighted to discuss how we can help.



Paul Jennings
Partner

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“The firm warrants the excellent reputation it has; the team’s strengths are their great attention to detail and understanding of the law.” **Chambers UK**

About us

The Bates Wells employment team is recognised by Legal 500 and Chambers UK as a leader in its field.

We focus on delivering our clients' desired outcomes in a straightforward and cost-effective way. We pride ourselves on the service we provide and the strength of the relationships we build.

We provide advice which is pragmatic, to the point and sensitive to our clients' business needs and workplace culture. We will work with you to help navigate and mitigate legal risk.

We also have a track record for fighting, and winning, ground-breaking cases.

Our clients are diverse – from corporate household names, to public bodies, to start-ups. We're also the firm of choice for thousands of charities and social enterprises. We act for both employers and individuals, which allows us to advise clients with a broader strategic perspective.

We understand our clients' culture, people and business needs, which allows us to act as an extension of their HR and senior management teams.

Our work for organisations includes:

- Advice on recruitment and terminating employment
- Drafting contracts and policies
- Day-to-day advice on employee relations issues, including disciplinaries, dismissals, and grievances
- Redundancy and restructuring exercises
- Industrial relations and trade union disputes
- Transactional and strategic advice on TUPE transfers and restructures
- Advice in relation to team moves and protecting business ideas and intellectual property
- Employment Tribunal, Employment Appeal Tribunal, High Court, Court of Appeal and Supreme Court litigation.



“The service they provide is outstanding; they have a real knowledge of complex employment issues and a compassionate attitude.” **Chambers UK**

Workplace investigations

Workplace investigations are often an essential first step in enabling organisations to understand and address difficult issues, including:

- Allegations of serious wrongdoing
- Underperformance at a senior level or within a business-critical function
- Systemic or cultural concerns

Independent external investigations

Investigations can be a daunting and time-consuming process, even for highly experienced managers.

We frequently carry out independent investigations on behalf of organisations. Our specialist team are able to undertake such investigations from start to finish, and ensure that they are carried out with credibility, independence and efficiency. We balance the need for a thorough and complete process with the need for proportionality, focus and pragmatism.

If you need help with an independent investigation, we can help.

Supporting internal investigations

We can also provide support and advice to organisations, boards, directors, or trustees conducting internal investigations.

This may include:

- Helping to establish terms of reference
- Identifying relevant witnesses and structuring questions
- Advising on concurrent duties relating to regulators, safeguarding, etc.
- Addressing perceived conflicts of interest or challenges to the conduct of the investigation
- Maintaining confidentiality and privilege (where appropriate)
- Advising on the steps to take following an investigation.

Examples of recent investigation work

The team at Bates Wells frequently conduct, and provide advice on, sensitive and confidential investigations.

Recent examples of our work include:

- Investigating behavioural and cultural concerns with a third sector organisation
- Providing advice in relation to an investigation concerning allegations of sexual harassment in a major, national political campaign
- Advising an international humanitarian charity on an investigation into allegations of systemic bullying at Board level
- Advising a national theatre investigating complaints in the wake of the #MeToo movement
- Advising the CFO of a national healthcare business on an investigation concerning an alleged financial fraud
- Advising the CEO of a global retail business on an investigation into his personal conduct
- Investigating allegations of a campaign of bullying and harassment by a senior manager of staff over a number of years in a national policing organisation.

If you would like support with an internal investigation, or if you would like to discuss our independent investigation services, we would be delighted to discuss the ways in which we can help.

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Mediation

As experienced litigation specialists, we understand that disputes are sometimes necessary. But it is vitally important (where appropriate) to look at dispute resolution.

When disputes arise they are invariably time-consuming and costly. Conflict disrupts focus and drains energy and resources. It can also have a profound affect on the health and wellbeing of those involved.

Mediation is a way to mend relationships. It is a facilitated process conducted by a neutral person. The role of the mediator is to introduce objectivity, establish common ground and help the parties to identify solutions.

Mediation is a highly effective way of resolving conflict. It can help in a variety of settings, including:

- Board level conflict
- Tensions between trustees and senior managers
- A breakdown in the line-management relationship
- Conflict between colleagues
- Commercial disputes (and disputes with stakeholders).

There are many benefits of mediation. It is:

- Cost effective
- Flexible
- Voluntary
- Confidential.

If there is conflict within your organisation that is disruptive and counter-productive, please do contact our specialist mediators to explore how mediation can help.

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Employment law training

Core training courses

We have been running employment law training for over 20 years. Our core training courses are practical, accessible and solution-focussed. The essential purpose of these courses is to provide HR professionals and managers with the confidence, understanding and skills to manage difficult issues. We cover a wide range of topics, including:

- Performance management
- Absence management
- Misconduct dismissals
- Handling grievance and disciplinary processes
- Carrying out effective workplace investigations
- TUPE and outsourcing
- Restructuring and redundancy programmes
- Anti-harassment, diversity and inclusion training
- Unconscious bias
- Handling difficult conversations
- Mock employment tribunals
- Data protection issues for HR professionals.

Our core training courses are usually offered in-house (at our client's offices), at our central London offices or by webinar. Virtual training can be delivered in a live, interactive format; or pre-recorded and viewed 'on demand'.

Bespoke training

If our standard courses do not meet your requirements, we can design a course for you on any employment law topic of your choice. This can be a tailored (or combined) version of one of our existing courses or a completely new course.

We can also train your staff on new or existing internal policies and procedures, explaining them within the relevant legal context and working through practical implications. Alternatively, sometimes a specific staff training need is identified as a result of a grievance or a tribunal claim, and we can assist you with developing a bespoke training

course to meet this need. Whatever other specific training needs arise, we can assist.

We can offer a wide range of training formats including, by way of example:

- Live, in-person delivery at a location of your choice (subject to any social distancing restrictions)
- Webinars - either live or pre-recorded
- Interactive workshops – focussing on negotiations, 'difficult conversations' and effective performance management
- Mock tribunals, including live cross examination, legal argument and Judgment
- Witness preparation training (for staff who are apprehensive about the prospect of giving evidence in a trial or public enquiry)
- Interactive case studies.

We host a series of interactive employment webinars throughout the year. For more information and to sign up, [click here](#).

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“There is definitely something special about this firm. Extremely pleasant and well rounded lawyers with a bit of personality, not just a bunch of City lawyer cadavers. They really care about your mission and the cause and have been a pleasure to work with. Really responsive for litigation and advisory work – highly recommended.” **Legal 500**

Making a profit is core to all businesses but our goal is to combine this with a real social purpose. Our values are pivotal to us, they shape our decisions and the way we live and work.

We focus on positive social impact as much as we focus on being a successful law firm. Our top tier legal advice is coupled with a real desire to drive change and we were the first UK law firm to achieve B Corp certification, awarded to businesses that balance purpose and profit.

Today, our clients are diverse – from corporate household names, to public bodies, to start-ups. We're also the firm of choice for thousands of charities and social enterprises. We continue to lead the market we helped to shape.

Bates Wells challenges what is possible in legal expertise delivery.