

Responsibilities and rights of employees and employers

[Business](#), [Employee](#)



1. Know the statutory responsibilities and rights of employees and employers within own area of work

List the aspects of employment covered by law

The law in UK covers the following aspects:

Minimum wage, Hours worked, Discrimination, Health and safety, Holiday entitlements, Redundancy and dismissal, Training, Disciplinary procedures, Union rights and consultation, among many others. Labour law covers the deal between employee and employer, Health and safety cover the work conditions, and minimum wage and other law set basic compensation levels. Within our area of work we also have the Disability Act, Manual Handling Operations and Regulations, Data Protection Act, The Medicine Act, General Social Care Council code 2001, RIDDOR 1995 and more.

List the main features of current employment legislation Pay

- Being paid and payslips
- Company sick pay rights
- Performance-related pay
- Employment contracts and conditions
- Contracts of employment
- Changes to employment conditions
- Breach of contract
- The National Minimum Wage
- The National Minimum Wage rates
- Calculating the National Minimum Wage: the basics

- Help getting paid the National Minimum Wage
 - Time off and holidays
 - Annual leave and holidays
 - Time to train, request time at work to learn new skills
 - Time off for dependants
 - Working hours
 - Working time limits /the 48-hour week/
 - Rest breaks
 - Overtime
 - Flexible working
 - The right to request flexible working
 - Working from home
 - Part-time work
 - Sickness absence
 - Time off for sickness
 - Statement of Fitness for Work /fit note/
 - How work can keep you healthy
 - Business transfers and takeovers
 - Employment protection during business transfers and takeovers
- Transfers of employment contracts

1. 3 Outline why legislation relating to employment exists

To ensure a more cost efficient and safer working environment. There is an increasing responsibility for employers to protect the health and safety of their employees. To protect workers, to guide, regulate and set standards, to

provide rights and restrictions on workers and management through a legal relationship.

Identify sources and types of information and advice available in relation to employment responsibilities

When I need information and advice with regards to employment responsibilities and rights, I can find these within my contract provided by my employer and the start of my employment, or I can find this information written within my staff handbook . There are policy documents available within my work place. I can also ask member of staff if I am unsure of my responsibilities.

2. Understand agreed ways of working that protect own relationship with employer

Describe the terms and conditions of own contract of employment

With regards to the terms and conditions of my contract it states the date on which my continuous employment began, the Place of work, Duties, Salary per hour, Working hours per week, Holidays, Holiday Pay, Sickness Absence Policy, Pension, Probation Period, Rights to Notice, Smoking, Data Protection Act 1998, Maternity rights; Ante/natal care, Maternity leave, Statutory Maternity Pay, Adoption Leave & Pay, Statutory Paternity Pay, Parental leave, Time off to care for dependants, Retirement, Right to Search, Short Time Working, Lay Offs & Redundancies, Extended Leave,

Variation of Terms and Conditions, Contradiction Between These Terms & Conditions and my Individual Employment Letters, Intellectual Rights, Use of

The Internet, Email, Company Rules, Disciplinary Procedures, Principles, Table of Disciplinary Offences and Penalties, The Procedure, Stage One - Verbal Warning, Stage Two - Written Warning, Stage three - Final Written Warning, Stage four / Dismissal, Appeals Procedure, Other Dismissals, The formal grievance procedure, Equal Opportunities Statement, Anti-Harassment Statement, Management's Responsibility, Additional information, Restrictive Covenants.

Describe the information shown on own pay statement

On my own pay slip I have my full name, the name of the company that employs me, Tax period, Interval, Date, Staff ID number, NI Number, NI Code, Tax Code, PAYE Reference, Taxable Gross, Gross to Date, Tax to Date, Employer's NI, Employer's Pension, NI Gross, Net Pay.

Describe the procedures to follow in event of a grievance

If I have grievance relating to my employment, I should attempt to resolve this informally by speaking with your line manager. If, however, I fail to get a satisfactory resolution within a period of 5 days of speaking with my manager or if my grievance is about my manager and I do not wish to discuss it with him or her, the Company has a formal grievance procedure. If I have a complaint, which cannot be resolved, it is essential that I use this procedure in all circumstances.

Identify the personal information that must be kept up to date with own employer

Employees personal data should be kept safe, secure and up to date by an employer. Data an employer can keep about an employee includes name, address, date of birth, sex, education and qualifications, work experience, National Insurance number, tax code, details of any known disability, emergency contact details.

They will also keep details about an employee such as: employment history with the organisation, employment terms and conditions (pay, hours of work, holidays, benefits, and absence), any accidents connected with work, any training taken, and any disciplinary action. Each types of personal information must be kept up to date all the time with my employer will be: Change of name, marital status, address, GP, Next of Kin, nationality, change of sex.

Explain agreed ways of working with employer

The Policies and procedures based on sector standards and guidelines and individuals care plans. To implement agreed ways of working I follow the care plan. Duty of care is the obligation I have to exercise a level of care towards an individual, as is reasonable in all the circumstances, to avoid injury to that individual or his/her property. Dilemma can occur when an individual makes a risky choice. They have a right to do this and I must respect and support their choices but I also have a duty to keep them safe.

3. Understand how own role fits within the wider context of the sector

Explain how own role fits within the delivery of the service provided

Maintain high standards of care and service toward service users. Assist service users in maintaining their personal hygiene, washing and dressing, toileting, shaving male residents, going to bed, promote independence and dignity, and assist in enabling to live their chosen lifestyle. Report complaints directly to the Manager in charge as soon as they are made.

Explain the effect of own role on service provision

Our work is on one to one basis. Provide good quality of care, promote independent and dignity, assist in enabling to live their chosen lifestyle, makes clients happy and keep them in good living condition, make them to live longer, by this thing we can increase peoples confident in the Health and Social Care sector. I work in a care home as a care assistant. My responsibilities includes: assist the residents with personal care, dressing and feeding, helping them to move around, incontinence care, generally assisting with overall comfort, monitoring conditions.

Describe how own role links to the wider sector

I work in a care home where I take care of elderly and mentally ill people suffering from dementia. Old and demented people have problem with loss of short-term memory. I see people as individuals, focus on their strengths, treat them with dignity and respect, and protect the individual from abuse, injury and harm.

Describe the main roles and responsibilities of representative bodies that influence the wider sector

The main roles of these representative bodies are: to represent the people and be their voice in the senate, to be able assist the people they represent in asserting their humanitarian rights, to ensure that their government's financial allocation for the sector they represent is enough basing on their immediate or basic needs.

Representative bodies may include: government departments, professional bodies, trade unions, sector skills councils, regulatory bodies, consumer groups. European Union is our representative bodies. The employee must again take all reasonable steps to attend the appeal meeting and will have the right to be accompanied by a trade union representative or fellow employee of his or her choice.

4. Understand career pathways available within own and related sectors

Explore different types of occupational opportunities

Different types of occupational opportunities for example: social worker, specialist, speech therapist, General Practitioner, children social worker, care specialist, Manager, Adult nursing, Child nursing, Mental health nursing, Learning disabilities nursing.

Identify sources of information related to a chosen career pathway

Sources of information: internet, books, Code of Practice, media /TV, radio, magazines, Newspapers/, individuals, training, Alzheimer's Society, Supportive care for the Person with Dementia - edited by Julian C. Hughes, Mari Lloyd-Williams, Greg A. Sachs

Identify next steps in own career pathway

I would like to complete the upcoming courses and become a manager in a care home.

5. Understand how issues of public concern may affect the image and delivery of services in the sector

Identify occasions where the public have raised concerns regarding issues within the sector

Care home abuse and neglect is Britain's next major scandal. The Panorama footage showed images of aggression and violence against residents at the care home, near Bristol. Staff pinned residents to the floor and forced one into the shower fully dressed and then outside until she shook from cold.

Outline different viewpoints around an issue of public concern relevant to the sector

The Government will give greater assurance to families that their complaints or concerns are being properly listened to. Anyone with worries about how their loved one has been treated at the end of their life will have access to an independent assessment of their case.

To support this independent assessment, the Government will make available a list of experts to provide local support for patients if needed - and all NHS hospitals will be asked to appoint a Board member with responsibility for overseeing any complaints about end of life care and for reviewing how end of life care is provided.

Describe how issues of public concern have altered public views of the sector

The bad practices and scandals in the social and health care sector arouse the public. People lose their confidence and keep their family members away from the care homes.

Describe recent changes in service delivery, which have affected own area of work

I like to work with service users alone when the situation and their health condition allows. My clients are suffering from dementia. They may become unusually emotional and experience rapid mood swings for no apparent reason, which may cause a dangerous situation. I make sure to call for help if necessary.