

(AC 3.2)

Warr defined workplace wellbeing as, 'the overall quality of an individual's subjective experience and functioning at work' (P. 493, 2023).



Wellbeing relates to your mental and physical health and quality of life. It's about being happy, healthy, and comfortable with your life and what you do. Generally, your level of wellbeing reflects how well you cope with the day-to-day stresses of life.

It is important for managers to be aware of their employee's wellbeing and look after them or factors such as presenteeism will evolve, Presenteeism happens by going to work ill, however it can have a detrimental effect on themselves and the Organisation. Garrow (2016) concludes that people are less productive when they show up to work ill.



Wellbeing is influenced by many factors including our experiences at work, relationships, and feelings of achievement. Inevitably, we need other people to help us attend to our wellbeing.

The importance of wellbeing in the workplace is crucially important, in 2022/23 alone, the Health and Safety Executive (2024) data research showed that stress, depression and anxiety accounted for nearly 24 million of the days away from the workplace.

Positive workplace wellbeing boosts retention. Engagement with employees increases the chances of greater wellbeing. Ways to achieve this include building trust, recognising accomplishments, and offering a purpose. Overall employees who trust organisations, are more likely to have meaningful wellbeing conversations.

Get wellbeing in the workplace right and it'll be a talent magnet. Highlighting WLB positives during the recruitment phase is crucially important. Jobseekers are prioritising greater WLB and personal wellbeing more and more over other benefits such as higher wages at competitor organisations.





(AC 3.3)

UK law protects employees from discriminatory practices, and so all organisations must conform within the boundaries of the law.

The Equality Act 2010, which is a key piece of discrimination legislation lists 4 unlawful types of behaviour:



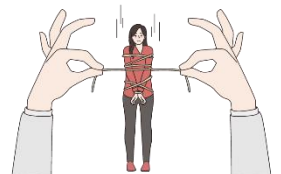
1. Direct discrimination. Where employees are treated less favorably than another due to protected characteristics. There are never good reasons for employers to treat groups differently, and therefore direct discrimination is never justified.

Protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation.

2. Indirect discrimination. Where employers apply a practice to the entire workforce which puts a group with the above protected characteristics at a disadvantage.
3. Harassment. The Equality Act 2010 defines harassment as, 'unwanted conduct related to a relevant protected characteristic, which has the purpose/effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment' (P. 122, 2019).



4. Victimisation. Where employers penalise employees in any way for exercising their rights protected by the Equality Act 2010. Protected acts include:
 - Employees enforcing proceedings related to alleged discrimination.
 - Employees giving evidence in relation to a claim of discrimination.
 - Employees doing anything else in reference to discrimination legislation.
 - Employees alleging that a person has committed an act that violates discrimination legislation.



The easiest way to decide if victimisation has taken place against an employee is to compare the treatment to another who has not carried out a protected act, and therefore whether the treatment has been less favourable.

(AC 3.4)

Under UK law, the UK the Equality Act 2010 provides minimum standards of protection against discrimination practices, supporting diversity and inclusion.

Diversity recognises the nonvisible and visible differences in people, and ensures those differences are not discriminated against, but instead, valued, respected, and celebrated.



Diversity differences include, but are not limited to, age, gender, ethnicity, colour, beliefs, marital or partnership status, backgrounds, geographic, sexual orientation, sex, social class (CIPD, 2022).

Diversity in the workplace is important because it:

- Is a crucial part of building a strong welcoming organisation structure.
- Allows for a well-rounded talent pool.
- Allows a better understanding of customer demographics, needs, and wants.
- Boosts engagement.
- Breeds committed workforces.
- Bolsters creativity.
- Provides safety to contribute with innovation.
- Increases employee appreciation.
- Showcases positive external and internal brand imagery.



Inclusion is important for the workplace because it connects heavily to employee engagement. Organisations that make employees feel included have staff that are motivated to work harder, stay longer and be positive ambassadors.

Lynn et al defined inclusion as 'the degree to which employees see that they are a part of the work team through experiencing treatment that pleases their desire for acceptance and integration (P. 298, 2023).

Inclusion also allows for meaningful voices, giving everybody a voice in the room, building an inclusive routine to find out what everybody really thinks. Do not make employees afraid to be a lone voice, instead you should value employees who step out of the norm.



Be inclusive by respecting jobs well done by ALL your employees, be equal towards all employees.

Diversity and Inclusion are crucial because it gives your employees a sense of belonging, Verna Myers, the VP of Netflix, describes this as feeling welcome, likening to a party analogy; “Dancing like nobody is watching you, to the music you want, or choosing not to dance and not being forced to” (P. 2, 2023a).





(AC 3.5)

In UK Law, Section 94 of the Employment Rights Act 1996 states that employees have the right to not be unfairly dismissed by employers.

The CIPD notes, dismissals are unfair if organisations fail to follow legal requirements and procedures when making the decisions, and with no good reason for it (2023).

There are automatic reasons where a dismissal is ruled as unfair, including:

Trade Union membership: This also applies if you do not want to be a member of a trade union. Unions like Unison represent and act for their members during negotiations, bargaining on their behalf, whilst campaigning for public services, pay and better working conditions (Unison, 2024).

Refusing to work Sundays: You must inform staff of Sunday working rights when employed. Employees cannot be made to work Sundays unless agreements are made, provable in writing.

Pregnancy/maternity issues: You cannot discriminate against pregnancy. Discrimination law, which includes dismissal, covers people for a 'protected period', from the point of becoming pregnant until their birth-related leave ends; leaving their job; or returning to work (ACAS, 2024).

Health and safety concerns: Employers have employee duty of care. Dismissal can be unfair, where employees have a rational belief of serious risk or imminent harm in the workplace. In recent years, the COVID crisis is a proven example.

Asserting statutory rights: The 1996 employment rights act, dictates the rights of employees under UK law (Open Government Licence, 2024a). Protections include statutory sick pay, adoption leave, paid annual leave and equal pay – considering the national minimum wage act 1998.

Making protected disclosures under the Public Interests Disclosure Act 1998: For example, whistleblowing, where an employer commits a criminal offence, i.e., fraud or corruption and an employee 'whistle-blows', showing the public for the public's own interest.

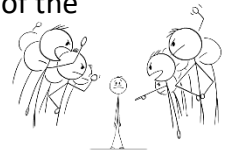
Employers should always follow their own procedures and the crucially important ACAS codes of practice when investigating dismissal.

Where unfair dismissal claims are made, employment tribunals investigate whether the code has been followed (CIPD, 2023c). If tribunals find employers have acted unfairly, payout costs awarded can be significant.

Ultimately there is less risk for employers with dismissals if they follow a fair process, and there are fair reasons for dismissal.

The Employment Rights Act 1996 lists 5 potentially fair reasons for dismissal, including:

Conduct – In all cases, employees must have the opportunity to defend against accusations. Employers must have genuine beliefs of their employee's guilt. Guilt is a key component of the Birchell Test. The test must also show the belief is based on reasonable grounds, and subsequently investigated thoroughly (CIPD, 2023).



Reasons for conduct dismissal can include, ignoring company instructions, poor attendance, sharing company information, theft, drug abuse and violence.

Capability – including dishonesty with qualifications, role incompetence, prolonged or unspecified time away from the workplace. In every case of incapability, the employee must be given a fair opportunity to improve.

Redundancy – When your job role is no longer required by the organisation, however, the process must be a fair one, and thus cannot be selected due to gender, disability, age, or pregnancy.



Legal Reasoning – e.g., a delivery driver legally requires a driving license to work, and a driving ban means they cannot perform the job.

Other substantial reasons – e.g., where you take on an employee on a temporary basis to cover maternity and dismiss at the cover end – however this must have been made clear at the start that it was a temporary position (Open Government Licence, 2024b).

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