

# Employee owner online consultation

## Question 1

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Catherine Shepherd There must be clarity as to the status of an employee owner and their rights and obligations. As is apparent from the number of cases before the Employment Tribunals to determine whether or not a "worker" is an "employee", uncertainty as to whether or not an individual is an "employee", "worker" or "employee-owner" despite the label applied by the parties and the contractual intentions will not be acceptable. The process of issuing and buying back shares must be straightforward.

David Erdal The essence of employee ownership is that the ownership – the right to information, influence and participation in profit – must be real, and trustworthy. There must be commitment from the company in order to evoke commitment from the employee. This proposal seems untrusting and manipulative: it will not promote commitment, with the result that the potential benefits of productivity and creativity will not be forthcoming.

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell By focusing on those things that motivate the 'employee' and help align the 'employee' aspirations with those of the company and providing rewards and incentives. I deliberately put employee in quotes as in most companies it is often grey as to whether a person doing a job is an employee, contractor/temp or supplier/partner.

Jamie Rowe tax cuts on worker-ownership models

Daran Brown We shouldn't change them from now re Employee Owners

Steve Collington By embracing what they already have.

Rachel Evans The government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have.

Merrie Mannassi The flexibility is insufficient - add in also not to bring any grievance or discrimination or anything that could tie up management time and distract from running the company.

Jonathan Holden

Rob Hill

David Eastham This is chimera of flexibility. It is also counter productive to long term industrial development, particularly the proposals to remove training rights. This is encouraging "short term-ism" and even positively embedding it in UK business culture. The very opposite of what a responsible B.I.S. should be doing

Martin Ward The new status appears unlikely to be much used in the education sector. It is not something that school and college leaders would favour.

Prateek Buch

C Austen

Cornelia East

Laurence Ross      Who cares? Why should anything be done for businesses? Things should be done for people.

Laura Josh

Laura Josh

Tracy Winter      By providing clear guidance and instructions to enable employers to make the correct choices and also ensuring that the Courts and Tribunals interpret the guidelines and legislation in the way it is supposed to be interpreted rather than enforcing their own views that may be contrary to the purpose of the legislation.

Andrew OCallaghan

Mark Blackburn      Reduce bureaucracy

Ben Harding

DAVID HOSSACK      We are not convinced the proposals will make any meaningful difference, so it is difficult for us to answer this question.

Mark Lancaster

Andrew Harrison      I'm not sure that I would agree that this new 'employee owner' status actually provides flexibility. We help business owners sell their business to their employees and I honestly cannot understand why the government feel that there is a market failure or issue that this addresses?

Sally Stone      It shouldn't be doing this at all - employees should retain their long fought for rights.

Nichola Smith

Nicola Mullineux      Employers generally do not realise the implications of how they treat an individual on a day to day basis and often the only way to determine status is a retrospective look at how the situation has been operated (meaning no remedial action can be taken) and should be subsequently labelled, rather than a conscious decision of how to manoeuvre the issue of employment status so that employers do not unwittingly fall into a trap whose existence they were not aware of. Employment status is often troublesome for employment law practitioners to navigate, let alone individual employers, because of the lack of substantive legislative definition; government backed guidance and the existence of inconsistent case law judgements. Guidance that informs employers at a point before an individual is engaged to perform work, allowing an informed decision to be made about how choices and behaviour can have a knock on effect throughout the relationship would be welcomed.

Rob Pinniger      By ceasing to attempt to remove employees' rights in this manner.

Geoff Caesar

Claire Campbell

Will Winch

Billy Tonner      Employees already have the right to request flexible working. The government might better help businesses if they changed the "right to request", to the "right to". Businesses thrive when they treat their employees with a bit of respect and dignity.

Ken Worthing

Martin Fletcher      The focus of this question is wrong - the government should ensure the right balance between the employer and employee, and removing employment protection rights from employees can never be right. Employment rights have developed over decades (indeed centuries) and the abuses from employers able to dismiss staff at will - with the abuses during the employment that go with that power are, thankfully, a thing of the past. This proposal will take employment law back, and the government should be ashamed of itself for considering this. I sincerely hope that it will listen to the responses to the consultation and scrap the idea. It would be bad enough if employees were told that they could only be offered a job if they gave up their employment protection rights in exchange for something of real value. Those needing a job would have to accept the terms on offer, and in the real world would not be able to negotiate better terms for themselves. (At least at the bottom end of the labour market, where the employer abuses will be greatest - which is why the equality impact assessment is flawed). But employees will be offered an illusory benefit in exchange for their rights. It will cost the employing company nothing - new shares will be issued, which will be cancelled when the employee is sacked. The employee will have shares with no dividend rights, and with an unrestricted value of £2,000. That value will not be accessible as the shares will not be able to be sold while the employee is working, and will go back to the company on cessation of employment. The actual value of the shares (taking account of the restrictions) will be nominal - so the fair value received on termination of employment will also be nominal. Of course, there will be a second class of employee using this new tax avoidance opportunity. There will be wealthy employees - probably already connected with the company - who will be looking at this CGT opportunity. £50,000 shares will be free of CGT in exchange for a (possibly temporary) loss of employment protection rights. But for employees at this end of the spectrum no rights will really be given up - indeed rights under employment law could be given up and replaced by equal rights under contract law. The proposal has a double impact - enabling employers to take away the rights of low paid employees, while providing opportunities to enrich wealthy employees. Clearly this is not an accident. But it is not made clear in those terms in the presentation.

Peter Reisdorf      I disagree fundamentally with this, it is disgraceful that this is being proposed. It will increase the already high levels of job insecurity.

Chris Fox            Not a current concern for us.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans          Surely the flexibility needs to be on both sides. Employee owner status is great if it is recognised that that is beneficial to both employees and employers (as John Lewis have found). If giving shares is simply an excuse to give more flexibility to employers to deprive their workers of basic rights other workers have, we will have not only done these workers a disservice but also created a two tier employment situation.

Karen Ordoy no

Roger Englefield    By amending the income tax legislation so that income tax and employers NI is not paid when the shares are gifted and income tax is paid when the gain is made.

David James Portmo

Greg Webb          -

Peter Hayes

Richard Sealy

Robert Carruthers    There is already a wide range of employment statuses available and an additional one is not needed.

Martin Tod

Conor McGovern-Pa

Simon Dodd

MR M.H.Faiz

Martin Pierce This is a loaded question. It is a very good thing to encourage greater employee share ownership - but it is NOT right under any circumstances that any employee should have diminished employee rights in exchange (whether voluntary or not - and I notice that if businesses choose to only offer the new contract going forward, employees will not have a choice about that if they want to work for that business)

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks I I am concerned about the introduction of the Employee Owner contracts. Fundamental employment rights should not be reduced in any employment contract. I am particularly concerned about the reduction in rights for parents through increasing the notice requirement for early return from maternity leave, and restricting the right to request flexible working. I am also concerned about the loss of important unfair dismissal rights, statutory redundancy pay and training rights. The Employee Ownership Organisation, which represents employee owned businesses, commented 'there is no need to dilute the rights of workers in order to grow employee ownership and no data to suggest that doing so would significantly boost the number of employee owners.' (New Statesman 30.10.2012) Justin King, CEO of Sainsbury's, also criticised the scheme, 'I would not wish to trade good employment practice for greater share ownership...This is not something for our business...The population at large don't trust business. What do you think the population at large will think of businesses that want to trade employment rights for money?' (Guardian 09.10.2012) It seems unlikely that ethical employers will use a scheme which undermines fundamental employment rights. If the Government wished to promote greater use of Employee Owner arrangements, they should retain all fundamental employment rights in the proposed Employee Owner contracts.

Julie Barclay

Ross Welland

Cllr. Nigel Jones

Sharon Bowden

Rob Pickering

Gerald Avison They can't, it is a daft idea. We are a privately owned business. ALL staff have the opportunity to become shareholders and all employees are treated equally. We run an internal share market and have almost 1,000 shareholders composed of staff and ex staff.

Eric Feltn

Matthew Walsh Government needs to remove the threats to a business around the determination of employees vs freelancer. Businesses with a short term focus need to be able to hire and fire easily and an acceptance of freelancers facilitates this. Businesses with a medium to long term focus should be encouraged to employ individuals on an equitable basis, governments role in this is to ensure that in exchange for the long term security of employment, individuals are not required to relinquish statutory rights. If employment law and tax law could be simplified so as to leave just two classes of worker (freelance or employee) then there would be no need for any more complex regulation such IR35 and this proposed "employee owner" idea.

Allan Wakefield

Graham Shelton Business needs employment flexibility but it is naive to think that this can be bought by loss of employment rights. What we need is a more flexible system overall that does not put obstacles in the way of employing staff when and where needed.

george roussopoulos Why have the Nutall proposals been ignored? They are far more germane and useful than this bill.

Debbie Bullock keep cutting red tape, have consistent practices across employment rights.

David Goodall

Chris Lucas It can't. Government has no business in allowing employers to sell off employee's rights in return for shares...

Julian Huppert

Joan Finch

Alastair Macpherson

Fiona Bell Flexibility is important to business, especially small and medium sized businesses but simplicity and certainty is also vital. If the proposals allow individual businesses to avoid having to work out whether a worker is an employee or a non-employee but a different category between the two then this helps businesses. However, if this introduces a third category that proves equally difficult for businesses to identify then an additional layer of complexity and uncertainty would be helpful.

Deire MacGinley Don't do it, it's exploitative

E J Stacey Focus on simplifying and/or tightening up what is already available without adding new initiatives which will only add to existing misunderstandings about employment law. Areas to look at are : SSP rules (ridiculously complex and encourage part timers to take time off sick); agency worker rules; HMRC rules on self employed and impact on employers if they get the status wrong; fit for work certificates - still problematic; carrying forward accrued holiday pay for long term sick (why is this taking so long to correct following ECJ ruling?); tax breaks for employee share and SAYE schemes (improve these and you will achieve more employee share ownership and retention of staff)

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeyundera Businesses already have a great deal of flexibility and any change to existing employee rights as proposed will be a step backwards. Better utilisation of the existing forums for dispute resolution including the reduction in processing times would bring huge benefits.

William Jones Relax the existing rules for start up companies for taking on new staff. Perhaps instead of 1 year threshold now for full employment rights make this 18 months. The existing employment statuses are fine.

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart legislate for easier employee share ownership but remove totally the link to dilution of employee rights.

Chris Williams

Thomas Miles The average award for unfair dismissal is only around £4,500. This is not significantly more than the minimum share value of £2,000. These types of contract would need to give greater protection from (potentially spurious) discrimination claims to really benefit businesses - although this may be difficult to reconcile with EU law. At a basic level, if the gov is going to stick with the current excluded protections, it needs to make the whole situation much clearer to businesses - how they will be protected, how much will it cost to implement, etc. If the shares give dividends, PAYE should deal with this rather than employees having to do their own tax-returns.

Matthew Lambert

Simon Banks Abandon the proposals and look again at how to encourage employee share ownership and "ownership" of the company in the broader sense without removing employee rights.

chris smart

Claire Booker

Robert Heale Through existing legislation NOT further changes

Trevor Make one standard way of employment across the board and keep to it

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross           The best way would be to make it easier for employers and employees to enter into compromise agreements to end the employment relationship and to ease the administrative burdens on small businesses with regard to employment and related legislation. Giving small employers easy access to good recruitment tools (so they are able to select the most suitable staff) would also be helpful.

Jordan Clough

Nicolette Rattle

Rob Prowse           By not making it dependent on giving up employment rights

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell           I totally fail to see the value of this proposal. I have looked at the various startups and high growth businesses that have been involved with over the years and see no benefit to either the employee or the employer, although I can see some benefit to the banking and investment community. Hence without more factually-based background to why these specific recommendations I find the entire proposal pointless.

Darren Newman       It is a mistake to regard the different employment statuses as a form of flexibility offered to employers. The law provides that certain types of relationship give rise to particular rights. However, what matters is the nature of the relationship between the 'employer' and the 'employee'. Employers who have sought to try to fit the relationship into a particular category in order to take advantage of the different way in which the law regulates that relationship have often come undone. The Government should not be encouraging the view that the employer can simply choose which status is offered as the label attached by the employer to the relationship will not affect the underlying reality.

Conor McGovern-Pa

Gev Pringle

Tracy Connell       Businesses currently have the options using: full-time, part-time or fixed term employment statuses, plus agency workers and the self employed. If a small business or start up company wish to have flexibility in how they employ people then there is no reason why they cannot use fixed term employment of individuals rather than permanent. During the probation period and at the end of the term the employer can just let the employee go without employment rights coming into play, unless the fixed term is over one year when the unfair dismissal right applies, or over 2 years when redundancy payment applies. I think the one or two year period is long enough to decide whether an employee is suitable or not. An employee on a fixed term contract knows when their contract will end. Under the shares for rights proposal an employee could be dismissed at any time over one year as well as under one year and that uncertainty will add nothing to the quality of work from the employee or his ability to spend money if he thinks he could be fired at any time with no legal leg to stand on. It is important that an employee is committed to their job and company. A stake in the company would certainly be an incentive to make that company do well, but the fear of fire at will will stop that employee spending money in the economy - which is what makes the economy grow. This proposal may mean some companies would like to recruit more people, but would also let other employers engineer things so they can fire people more easily. I don't think it will necessarily help employment statistics and will not encourage growth in the economy. In fact for someone on JSA it will mean they reluctantly accept a job or else lose JSA and end up on the street, so it could in fact create more poverty. The government can help by introducing employee share ownership, such as that proposed by Nuttall or at Lib Dem Conference without the trade-off with workers rights. There is enough flexibility in the system for employers to play with since employee rights don't start kicking in until more than one year's employment.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis

Businesses should not be given the opportunity to force employees to give up employment rights

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

If the intention of a new owner status with reduced rights is intended to stimulate the growth of employee owned businesses then government needs to stop and think. There is no need for this and it will undermine the credibility of the employee owned business movement.

James Blessing

Kevin Slevin

Julia Hines

I do not believe this is a sensible plan. A good business values its employees and would not seek to remove employment rights.

Peter Stevens

karl meyer

Removing statutory employment rights is not an effective means to engender good employee/employer relationships. Any employer who plans to treat their employees fairly and decently has no reason to ask staff to sign away their rights. Only employers planning to dismiss staff for little or no reason would consider using this legislation and employees will realise this and so if anything will consider these employers little more than cowboys.

Bob Browning

David Evans

Leave things alone and stop messing.

Charles West

Allan Boyd

Andrew Toyne

Reduce the number of employment statuses to avoid 'contract confusion' in pay, holiday calculations etc.

Naomi

asdjkl;

Mark Inskip

David Ord

By having job centres that provide training for the unemployed in the skills required by employers

Suzanne Fletcher

Richard Fagence By empowering employees and by asserting their rights as participants in the business.

David Becket Not by removing employee rights

trevor snaith We need greater job protection ... not less

Lois Norton

Richard East

Gareth Epps 1) Simplicity, to ensure the scope for confusion and legal challenge is minimised. 2) Evidence-based policy: it should adopt statuses that are backed with evidence that they would boost the number of employee owners and enhance entrepreneurship (there is no such evidence in favour of this proposal); 3) and most importantly, by ensuring employee ownership status is not accompanied by a diminution of employment rights that would be counterproductive. Instead, it should work with the CIPD and bodies such as the Employee Owners' Association to develop a considered, not rushed policy that would enhance and simplify traditional employee ownership models.

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom The government needs clarify and simplify employment law to make it easier for employees to create their own business while still working for an employer. Presently many start-ups are never born, due to restrictive employment contracts specifying that all intellectual property created by the employee (even on their own time, while potentially working on a start-up).

Katharina Draisbach

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling This is an appalling way of putting any question. The 'government, as a whole needs to balance different interests, and should not prioritise allowing businesses to 'get the. It's out of' anything. If there is any justification for this it should be in terms of partnership between employees and employers, with both parties 'getting the. Ost' out of it.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe Commit to not changing the law again for several years so that employees can plan their careers and businesses can plan their workforce strategy.

Gavin Greig

Paul Whittle

Dr D L Clements



S. Page                    The concept of "employee owner" is largely a contradiction in terms . One is only an "owner" if one's name is on whatever official ownership documents pertain to the business. Self-employed people are effectively owners of their own business. Otherwise one is an employee, of either the business or the agency. Certain companies such as John Lewis have a working 'Partnership' concept which is a useful model. As the document states we already have one of the lightest regulated labour markets in the developed world.

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSO

Peter Catterall

Clr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood            We do not need another type of employment status. Companies that wish to operate on an employee ownership basis (eg the Co-op, John Lewis) already do so.

Graham Phillips           Please see my response to Question 23.

Sheryl Waterhouse        Offering flexible working conditions to employees increases motivation and therefore productivity . By offering flexible working, employers will benefit from employing a variety of people strengthening their business. The Government should actively encourage businesses to offer flexible working hours to employees; taking away employees right to flexible working will go against this, not achieve it.

Nick Barlow                By helping them use the existing regulations fairly and equitably .

David Edwards             By not allowing "employee owner" status legalisation to become law - its a stupid idea, and create an air of suspicion between employers and employees.

Candace Kendall

Sue Bollom                 Dreadful idea - totally unworkable

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago                Promote understanding of the rights and responsibilities of both parties so that informed choices can be made. The Guide to Employment Status on the GOV.UK website is a good starting point. In my view there is no need for additional guidance to be drafted, it simply needs to be publicised.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO

Iolanda Carneiro

David Jobson

Rona Miller 1. businesses with good business practice can already do this - the help is needed for advice on current system and for businesses to offer fair arrangements. 2. the proposals do not help the public sector or privately owned companies at all.

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild By not doing this.

George Potter Protect workers' rights so as to remove any fears of out-of-the-blue dismissal which itself leads to lower productivity and lower loyalty to employers.

Gemma Roulston

Fiona White The proposal is basically flawed. There should be no attempt to trade employment rights which have been slowly brought about over years for shares in the company. Employee share ownership should be as a means of encouraging participation in the way the business is run. I consider the proposal that this should be subject to the loss of employment rights is appalling and must not happen.

Mark Widdop

Helen Rowe

David Chaplin By not introducing anymore

William Jones

Joanne Green Government can explain by illustration to employers that this system encourages their employees to be responsible for their financial future and not be dependent upon the employer to provide calculations and financial security. It could also help employers if government produces a glossary of terms to help explain aspects of the scheme and use example scenarios. For example, a hairdresser, a call centre and a hospital worker and how Employee Owner Status impacts upon the employee and on the employer. This would require samples of contracts too to avoid and mitigate contractual Mistakes occurring and to control risk to the judicial system from this scheme. For example if a contract is rescinded in thirty years from today, by law because of misrepresentation in 2013, this could create a burden to the judicial system because there is no precedent yet the ex-employee owner would not have a statutory pension. Explanations of the different types of shares needs to be explained such as Ordinary, Preference, Cumulative Preference, and Redeemable and how these can interact with each other to give benefit to all Parties.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart Remove the lower £2,000 limit. Simplify the taxation of employee shares. create a more realistic valuation model. remove these shares from normal employee share taxation rules, or simplify those rules for all employee shareholders.

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry I believe there is too much many statuses with different rights attached to them. While the Employment Right Act may define the different types of statuses it appears the courts tend to treat different statuses differently, especially for agency workers. For example currently there are permanent employees, contract workers, agency workers, casual workers, zero contract, and self-employed. Each one has different rights attaching to them. Instead of creating more opportunities for employment the different statuses over complicates things, especially for workers. Now, the proposed status of employee shares will only add to the confusion. The best way I feel to give the most flexibility is to further study the issue, identify the types of statuses and then legislate to correct them in order to ensure the Employment Rights Act regarding statuses has not become outdated.

xx

Professor Deborah L

john murphy

Carol Tricks

Steve Parfett The encouragement and commitment of seeing Employee Ownership discussed buy Government is very welcome but conflating improved ownership rights with decreased employment rights for Employee Owners is a retrograde and counter productive step. Employee Ownership, as a alternate business model needs to be encouraged in its own right and with careful safeguards to ensure that well intentioned legislation is not abused in the way that EBTs have been. The employment rights issues may well merit debate but should not be linked with Employee Ownership

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards Provide absolute clarity of the legal position for all employee statuses

anita monteith

Kevin Aggett

Tim Lloyd	Make it clear and easy for the options to be understood
Fiona Bell	
Anon	Don't know
Roger Chater	Employee ownership can be valuable in larger businesses but has nothing to contribute to small business and micro business. Ownership will in any event be only marginal given the small number of shares proportionally likely to be held. It should have no impact on other employment protection provisions.
Craig Edmondson	
Dale Sinclair	
Niki Rosenbaum	At a time when businesses need extra effort, improved loyalty and commitment from staff, I do not agree that tinkering around the edges of employment rights and undermining employee security is the correct approach. Employers need reassurance that existing laws protect their businesses, not more legislation that creates negative culture and poor employee/ employer relationships.
Neil Jones	
Graeme Dickson	Ensure the system is clear, simple and easily understood. Avoid elements where there can be dubiety or miinterpretation, Certainty is a key thing employers want.
Daniel Sear	
Della Thomas	
Chris Devine	
J Mackenzie	
Matthew Bleasdale	Ensure a low risk exit strategy for anyone in work. That is, if someone faces moving out of work ensure they can easily find more work and don't have high costs in the period to getting new employment. It's the risk and impact of unemployment that leads to difficulty in the flexibility of the labour market. That is linked to the governance structure of large companies and how they dissociate financial and social imperatives an example of which is the non-payment of UK business tax for organisations such as Starbucks, in this case it related to the level of employees retained throughout the business cycle.
Flora Jafarzade	

# Employee owner online consultation

## Question 2

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Catherine Shepherd The reference to "use" is misleading. Businesses do not so much choose to "use" the existing statuses of employee and worker i.e. shall we recruit an employee with X rights or shall we recruit a worker with Y rights. Instead, the status of an individual working for a business is dictated by the demands of the business the work required. Businesses may attach a label to an individual of "worker" when in fact for employment law and potentially tax purposes they are held to be an employee. To our min, the employee-owner status is different – it is a status that a business may choose to use as an alternative to an individual being an employee. We do not see how it can be an alternative to an individual being a worker. Our principal concern lies in the impact of the employee-owner status on the morale of employees and performance mechanisms. The role of a true worker is very different from that of an employee in a number of ways – on a practical day to day basis a worker has more flexibility than an employee. As we see it, an employee-owner is to all intents and purposes an employee on a practical day to day basis – it is simply that legally an employee and employee-owner have different legal rights. A real risk in larger businesses and indeed even smaller ones, is the creation of a two tier workforce – one tier where performance is properly and rigorously managed and another where employees are potentially sacked on an "at whim" basis. Such a system may potentially have significant adverse consequences on the morale of the workforce an indeed, the success and performance of the business. A related risk is the potential for discrimination claims under the Equality Act 2010 should a business choose to only offer employee-owner status to certain categories of employee or individuals or indeed require certain categories of employee or individuals to take up employment as an employee-owner.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell No, only unethical businesses ie. one that intends to exploit its workers, will use the 'employee owner' status - if there were ethical they could achieve the same results under existing employee arrangements. For evidence just look at many highly successful UK businesses that have motivated and flexible workforces.

Jamie Rowe no idea

Daran Brown Yes and we do.

Steve Collington It's down to them.

Rachel Evans Plenty of businesses disregard existing rights and feel able to use any employment status, lawful or not, in the current climate.

Merrie Mannassi We only have employees, not workers. We have enough trouble with HMRC already when trying to use self-employed individuals. We also have significant problems with existing minority shareholders who don't work in the business in any capacity so no - I can't see how we would be able to offer shares out, without changing articles - which then becomes another cost, which, by the way, is not allowed before tax.

Jonathan Holden

Rob Hill

David Eastham The very fact that there will be a provision for offering only this proposed form of employee status to new employees undermines any supposed flexibility implied by this question. The only logical conclusion is that it is a long term legal methodology for undermining employment rights in general.

Martin Ward	Most education is in the public sector. Even when in the private sector it is rarely organised into share-issuing companies. This new status will therefore not be available.
Prateek Buch	
C Austen	
Cornelia East	
Laurence Ross	Who cares? Why should anything be done for businesses? Things should be done for people.
Laura Josh	
Laura Josh	
Tracy Winter	Cannot use employer owner status because not enough clarity or guidance yet but may wish to do so in the future depending on the final result. Common for many to use employee and workers but not so common employee owners. The issue with share buy back and also disputes about share prices is an issue.
Andrew OCallaghan	
Mark Blackburn	Yes
Ben Harding	
DAVID HOSSACK	It is considered that a system which entails employees working side by side with differing employment statuses may prove counter productive and confusing for both employers and employees. Motivating and dealing fairly with all employees (regardless of their status) on a consistent basis may prove difficult for employers.
Mark Lancaster	
Andrew Harrison	
Sally Stone	
Nichola Smith	
Nicola Mullineux	In our experience, employers are not aware of the existence of the different statuses so it is not a question of whether they feel that they are able to use them. They don't understand or appreciate the labels given to each status or what they mean in practice, particularly the status of a 'worker'. Some are under the impression that variations on the payment of tax are the only determining factor in employment status. Some want to label an individual as self-employed but still retain control over their work, but do not realise the implications of these actions. To create an additional status would confuse matters further and employers would not benefit from it. Current awareness of employment status is low and leads to litigation and uncertainty. A further status with strict criteria attached would lead to further confusion.
Rob Pinniger	No. Their moral outrage at this transparent attempt to remove solid employees' rights and replace them with volatile shares.
Geoff Caesar	
Claire Campbell	
Will Winch	Businesses crave certainty and one of the problems of the employee/worker categorisation has been that it is difficult to be certain of any given individual's status. The status of an individual is usually dependent on the nature of the work the business requires to be done. In circumstances where the nature of the work could require either an employee or a worker, this can create issues. Businesses can be fearful of using a particular employee status because there is a risk of getting it wrong. This could lead to liability from HMRC, if they have not properly accounted for tax, believing the individual to be a self employed worker, or from the Employment Tribunal if they have not provided adequate rights. To increase certainty, employee owner status should be available to workers to reduce the risk of employers not granting shares to individuals. Otherwise employers may fear that they will get into trouble with HMRC if they attempt to pass on the CGT benefits to individuals who turn out to be workers.
Billy Tonner	Good businesses don't need restrictive instruments to get the best from their employees. Bad businesses do.
Ken Worthing	

Martin Fletcher

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Peter Reisdorf

Chris Fox Yes.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans Don't know

Karen Ordoyno

Roger Englefield We do not feel any of the three employment statuses are restrictive.

David James Portmo

Greg Webb -

Peter Hayes

Richard Sealy

Robert Carruthers The current statuses cover existing requirements so the need for a third one does not arise.

Martin Tod

Conor McGovern-Pa

Simon Dodd

MR M.H.Faiz

Martin Pierce As a micro business owner I would oppose the use of any other type of employment status than the one with a full set of rights. The worry is that once you introduce the contracts with lower rights, you'll start a race to the bottom - much like with pensions.

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks

Julie Barclay

Ross Welland

Cllr. Nigel Jones

Sharon Bowden

Rob Pickering

Gerald Avison What are the three employment statuses?

Eric Feltin

Matthew Walsh	Financial implication is of incorrectly identify PAYE staff mean significant employers err on the side of caution (make all staff PAYE) and therefore have to commit to employer regulations. This can lead to a hesitation when recruiting new staff. Smaller companies will avoid PAYE at all costs, even if this means chopping and changing suppliers, or simply not recruiting help and preventing growth.
Allan Wakefield	
Graham Shelton	Too complex
george roussopoulos	
Debbie Bullock	No, will be very difficult in private business to apply and for HR to contraol. Worries over how some businesses will 'use' this option.
David Goodall	
Chris Lucas	Businesses will be able to use all three and therein lies the problem. The whole concept is unfair: unfair on new employees who will be forced to trade their rights for shares and it will undoubtedly apply pressure on existing employees to move on to these new contracts.
Julian Huppert	
Joan Finch	
Alastair Macpherson	
Fiona Bell	The consultation paper does not set out exactly how to determine the difference between the three categories but this category might be particularly helpful for founder shareholder/directors or non-executive directors who are normally treated as employees for all tax purposes though displaying characteristics of non-employees.
Deire MacGinley	Don't do it, it's exploitative
E J Stacey	Most small businesses want a simple employment relationship, easy to understand and stable. Stop changing it. Some of my clients have only just got used to part time worker regulations. Small businesses want a simple route to resolve problems with employees and I have previously suggested greater powers for ACAS with small businesses and adopting some of the Australian practices - the small business code. Interestingly, Australia is now proposing that parties to an employment claim can only use legal representation if the FWA approves it - so simple matters will be dealt with quickly. This would help small businesses faced with an employee with CAB or free representation and remove some of this fear about Tribunal claims.
Miss Grant	
Keir Fuller	
Gill Phipps	
Janet Abeysondera	No opinion on this
William Jones	The employee owner status is unnecessary, just relax the existing rules for the threshold for full employment rights for start ups to 18 months.
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	no share ownership should be for all employees differences in working conditions has been a divisive management structure for many years and is totally out of date. All employees and directors should have the same conditions of employment
Chris Williams	



Thomas Miles      The current status of worker can be awkward due to the risk of "workers" being deemed to be "employees". This may be some considerable restriction. The same applies to self-employed. The main issue though is probably market-related, i.e. would key staff be interested in working for (or more likely, staying with) employers who only offer them worker or self-employed status? Probably not. People will take any role if they are desperate, but they won't stay when something better elsewhere comes along. This in itself causes long-term negative effects for the business, including restricting long-term growth and profitability. The same is likely to be true of the new status - I would want significant benefits attaching to the shares if I were to take a role with this status. It is effectively the company warning you that it isn't committed to your long-term employment, and I would be seeking a more secure role elsewhere asap.

Matthew Lambert

Simon Banks      I am not a representative of a business, but in dealing with businesses I have not encountered complaints about flexibility under the existing laws.

chris smart

Claire Booker

Robert Heale

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross      Agency workers can be very expensive for small businesses. The employee ownership option will not be available to any business that is not a for-profit company limited by shares. Unincorporated employers, guarantee companies and (possibly) co-operatives and community benefit societies will not be able to use this option. I assume the employees would have to pay for the shares when issued - and how is this to be achieved? £2000 is a lot of money for many people to find.

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell      Over the years I have found normal employment contracts combined with share options the easiest to administer. It provides sufficient incentives for employees to commit, whilst also giving them a level of security that means that they aren't constantly looking out for a new and better job.

Darren Newman      See my answer to question 5. The consultation's approach to this issue is fundamentally misconceived.

Conor McGovern-Pa

Gev Pringle

Tracy Connell      Yes. Though many companies may find it difficult to sell the idea of employee ownership as fair if it means the removal of employee rights. They may find that the only employees they can get will be reluctant ones who are claiming JSA and have to accept the job or else lose benefits or someone who's only offer is from a company with this employment status who doesn't have the luxury of choosing from an abundance of other jobs that they might prefer. Therefore, the employee risks having reluctant workers which will not be good for their business.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis

The owner employee status is a terrible idea and should not be implemented; allowing companies to adopt it as their only form of contract for potential employees is tantamount to denying these people their legal employment rights and sends a terrible message about how companies should behave towards their staff.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

I don't understand the benefits of this new status.

James Blessing

Kevin Slevin

Julia Hines

As director of a company I would never seek to remove employment rights from employees.

Peter Stevens

karl meyer

Businesses should employ staff based on the needs of the business for a long term, committed and happy workforce not consider them to be an unavoidable business expense. The ability to hire staff on full-time, part-time or contract basis already give employers great flexibility

Bob Browning

David Evans

No. They are unjust.

Charles West

Allan Boyd

Andrew Toye

Employing people on a fair and equal basis fosters good team working and good staff/management relationships

Naomi

Yes in my experience they do.

asdjkl;

Mark Inskip

David Ord

Don't know

Suzanne Fletcher

Richard Fagence	Most businesses will work very hard to ensure that the people they employ have as little influence as possible over the business. Lack of legislation ensuring employees rights within their employer's business is the major bar to their employee status.
David Becket	Not in business cannot answer
trevor snaith	NO
Lois Norton	
Richard East	
Gareth Epps	There is no shortage of examples of businesses able to use all statuses already. I was an employee for what was then (8-10 years ago) the fastest-growing PR company in the UK; I was the 8th employee and this grew to over 40 in two years. Existing employment law was used, ruthlessly but legitimately, by the owner/MD who retained staff loyalty by profit-sharing bonuses. Rather, the legal complexities of share schemes (plenty of which already exist) will put many off, as the form of employee owner status currently proposed does nothing to enhance employee engagement and plenty to diminish it.
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	Risk-averse management is the main restriction. In many ways this is a good thing, as it gives a small advantage to entrepreneurial individuals, willing to take risks by creating new businesses. Innovation and risk are often intertwined, and reducing established business's exposure to risk will clearly not increase their potential for innovation.
Katharina Draisbach	
Rachel Prince	
Simon Tucker	
Lucy Hodge	
Emma Watts	
Maria Pretzler	
Daniel Henry	
Christopher Pelling	I imagine they might. Shouldn't you be asking whether they should?
Chris Lovell	
Maria Pretzler	
Martin Tod	
Peter Howe	Temporary workers are used effectively within many organisations. It is impossible to know how the proposed 'employee owner' will be viewed.
Gavin Greig	
Paul Whittle	
Dr D L Clements	
S. Page	From what I have observed in my working life yes. Some businesses have a more ethical attitude to their employees. These, in general, have good working practices and employ full and part-time staff, with use of self-employed people as consultants where necessary. The less ethically oriented ones will go for whatever option is cheapest for them. It seems to me that this scheme will encourage less commitment on the part of employees; in effect it 'buys them off' and that is likely to encourage a sense of not belonging and hence lack of commitment. So what restricts the use of different statuses is the amount of ethical attitude of the employers.

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSON

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood We mainly use full time staff, but also employ fixed term, part-time and agency staff when appropriate, according to the nature of the position. I cannot see any advantage is having an "employee owner" status as proposed, unless it was to be on an "all or none" basis. I am trying to imagine how I would manage a dept in which some of the staff were "employee owners", and some were not. Employees are inherently status conscious - it sounds as if an "employee owner" would be a higher status position, but if say the employee owner's mum became ill, and she wanted flexible hours to cope with the situation (as recently happened to our long serving and dedicated accountant) what would I do? Agree the request and upset her non-owner colleagues, who would feel she was not entitled to it, or refuse, and have to work with a demotivated accountant whose mind was not properly on the job anyway?

Graham Phillips Having three employment statuses will make things complicated, and may lead businesses to doubt whether such an approach is worthwhile.

Sheryl Waterhouse Current employment statuses work well as they are. I disagree that the employee-owner status should be introduced, allowing unscrupulous businesses to take advantage of employees by bribing them with shares and taking away their employment rights. Businesses should not be allowed to advertise jobs only as employee-owner as this restricts many people from apply for jobs, particularly women.

Nick Barlow Yes, businesses currently use the employment statuses that suit them best. The unasked question here is what employees might feel about the different statuses.

David Edwards No, morally I believe that undermining employees rights is not a good approach and should not be encouraged.

Candace Kendall

Sue Bollom As above

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago In my experience, businesses can shy away from formalising employment contracts as they mistakenly believe that this will prevent people from becoming their employee. They often fail to appreciate the ease with which they may terminate employment in the period before a employee attains qualifying service for unfair dismissal and therefore the options for using employees flexibly within the current legal framework. A greater understanding of the existing concepts would, in my strong view, serve businesses better than creating yet another status for them to spend time and money coming to understand.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO

Iolanda Carneiro

David Jobson

Rona Miller No shares to offer Do not want to offer shares employees cannot afford to purchase shares this is a rich persons option only

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild yes

George Potter Yes they do.

Gemma Roulston

Fiona White

Mark Widdop This proposed third employee status, would be difficult for business to justify. Any employees taken on already have a period, where there are legal safeguards against unfair dismissal within the first two years.

Helen Rowe

David Chaplin Ask them. My view is that a small growing company you say this scheme is aimed at will be the last ones to use it.

William Jones

Joanne Green Yes I believe that all three statuses can be used. However because agency employees are subject to a contract release-clause when they find employment with the company they have been working within this could detract some employers from hiring those staff as employees and consequently as Employee Owners. To help mitigate this when tendering for Agency contracts, will it be acceptable for the employer to offer the agency Redeemable shares for contract-release of those employees? If so, when the Agency Tender contract ends what will happen to those shares? Will they be bought back by the employer? This would enable the employer to offer Ordinary shares to the employee owner.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart      The £2,000 minimum makes the new contract unavailable for the companies who need it most - in practice only companies with an existing value of £500,000 or more could use this kind of contract for anyone other than a board level new employee. leaving the highly technical and potentially punitive taxation arrangements in place for such shares will discourage all but the largest and most stable companies from utilising this new class. for example a 1% stake in a company worth £200,000 (a lot for a new company which is unlikely to make a profit for several years whilst growing quickly) can not be valued at more than c £500 after allowing the usual discount for minority shares. If artificial rules are granted to ignore that discount a taxable benefit would have been granted and additional tax payable on a deemed benefit at the time of grant, as well as on any subsequent corporate reconstruction which may accidentally effect a change in that value.

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam      They normally use these statutes.

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry      As a worker I do not feel I can use all three statuses. The worker status means loss of rights and entering into an employment black-hole, especially if you are an agency worker. In addition becoming self-employed is too expensive and too complicated, from a tax standpoint to do. Furthermore the new status of Employee Owner will be a status I avoid. Reason being it does not allow request for development in order to improve skills and benefit the employer. It is a major drawback for me. Plus the issue of shares is still very vague. As a worker I will not be willing to give up my employment rights for shares that may be worth less than a claim I could make at tribunal.

xx

Professor Deborah L

john murphy

Carol Tricks

Steve Parfett      Not applicable given above comments

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards      Yes, albeit the matter of the coversion of existing employees to employee owners is one which will be contraversial and so should be addressed through the legislation

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon Don't know

Roger Chater See answer to Q5

Craig Edmondson

Dale Sinclair

Niki Rosenbaum Businesses with any sense choose not to adopt all three because they are looking to secure staff that will be ready to respond to their needs rather than be free to go elsewhere or be dropped like hot stones on a whim.

Neil Jones

Graeme Dickson The grey areas at the edges where employers think they have a self employed individual contracted to them but then discover the person is an "employee". The law necessarily has grey areas and this should remain.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale Yes

Flora Jafarzade

# Employee owner online consultation

## Question 3

d

- Catherine Shepherd The types of companies who may be interested in offering these contracts may be smaller private companies. These often have various rights and restrictions attached to the shares, and it will be important that normal private company provisions such as pre-emption, mandatory transfer provisions and restricted voting/capital rights can be accommodated.
- David Erdal Any employee shares must be full ordinary shares, with voting rights, rights to all information, and rights to participate in any distribution of profits.
- David Hole
- Bruce Hanton
- Phil Bagnall
- Mary Leeds
- Brian Ronald
- Indie Kaur
- Carl Nichols
- Roland Bell 1. Shares need to be in the parent company and not the UK subsidiary - this avoids the scheme being tainted by the aggressive tax saving schemes used by multi-nationals to artificially depress profits in countries like the UK. 2. The minimum value of shares an employer can offer an employee should be set to 3 months pay and should increase by at least one months pay for every year of continuous service. Yes this is slightly more than notice pay etc. but as this scheme is effectively shares in exchange for pay it starts to fairly reward the 'employee owner' for the risk they are taking. 3. The shares need to have full voting rights etc. ie. the same rights as the shares held by the business owners and investors. 4. The maximum amount of shares that can be issued in any one year is equal to the employee's annual pay or £50,000 if lower. This is needed to ensure that an employee isn't paid wholly in shares. 5. The employer shall issue the shares at no cost to the employee (NB. this also means that the shares are not to be treated as benefits in kind and hence will not be subject to income tax or NI) - this is to encourage take up of sensible levels of share ownership particularly among those on low wages.
- Jamie Rowe do not allow "employer buys back forfeit shares"
- Daran Brown No change from today. I would consider greater incentives for more Employee Owned shares or more EO companies
- Steve Collington There's already sufficient legislation around the issue of shares. Shares are no substitute for employment rights or pension.
- Rachel Evans It should not be permitted for anyone to trade in their employment rights for shares or anything else.
- Merrie Mannassi That they cannot hold on to the shares if they leave employment.
- Jonathan Holden
- Rob Hill
- David Eastham As the consultation document itself mentions there can be restrictions on the shares issued to existing employee share ownership schemes, such as voting rights. The Government seems to be suggesting a rather ad hoc mixture of share types, which it seems to be relying on some sort of negotiations between the business "owner/company to resolve. This implies a negotiation between "equals". Which will not be the case. This is a very ill-thought out part of the proposals, which has the potential to introduce wide variation between different business entities which will complicate, rather than simplify the employment relationship
- Martin Ward No comment.



Prateek Buch	
C Austen	
Cornelia East	
Laurence Ross	Irrelevant.
Laura Josh	
Laura Josh	
Tracy Winter	None.
Andrew OCallaghan	
Mark Blackburn	None whatsoever
Ben Harding	
DAVID HOSSACK	The answer would depend on from which perspective one is looking at this. From an employee's perspective, the less restrictions the better. From the employer's perspective, the opposite would be true.
Mark Lancaster	
Andrew Harrison	
Sally Stone	Under no circumstances should an employee be able to trade in their basic employment rights for shares. This is completely immoral.
Nichola Smith	
Nicola Mullineux	No response provided
Rob Pinniger	There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.
Geoff Caesar	
Claire Campbell	
Will Winch	Ownership involves both economic risk and some element of control. If the intention is to increase employee engagement in the business, and to increase the status of the employee to something more like a partner in the business, it would seem logical to require the shares to carry some sort of voting rights. Otherwise, the business is in effect giving the employee a cash bonus, dependent on the value of the business, in exchange for rights. However, there is no doubt that employers and particularly entrepreneurial employers, will not want to give up any control over their companies. We recognise that requiring the shares to carry voting rights is difficult, but consider that a failure to offer employees a voice in the business is not consistent with the stated aims of the policy.
Billy Tonner	My oh My. You really love your restrictions don't you! If this proposal was in any way for the benefit of employees you would be suggesting full-voting shares with a majority shareholding by the people who actually do the work, the employees. Remember the old adage, employers are those who either can't or won't do the work
Ken Worthing	
Martin Fletcher	In answering this (and later) question I am not suggesting that shares should be issued at all. But if they were to be issued they need to be genuine shares with all the rights which attach to the ordinary share capital of the company - including dividend and voting rights. There also needs to be a provision that on sale the shares will be valued ignoring the fact that they are only a small minority holding - to give a real increase in value if the company increases in value. The normal protections against the value of the shares being diluted (as is normal in venture capital agreements, for example) must be there as well. This is normal practice to protect the rights of venture capitalists - I am amazed it is not suggested to protect the rights of employees.

Peter Reisdorf

Chris Fox                   None

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans                 Don't know enough about it to comment.

Karen Ordoyno

Roger Englefield         None.

David James Portmo

Greg Webb                 If employees are to be taking shares in potentially small and young businesses in exchange for their standard employment rights, those shares must be meaningful and placing the employees as first-class shareholders in the business not in a restricted and largely powerless class. Otherwise the risk is clear for the owners to simply ignore the interests of their employee shareholders who have helped them by accepting this form of employment and run the company against the interests of these employee shareholders.

Peter Hayes

Richard Sealy

Robert Carruthers        There should be a much higher minimum value figure involved in order to make sure that this status is genuinely related to the type of role where entrepreneurial decision taking and risk is involved and the individual is being rewarded sufficiently for taking on that risk. However, the problem remains of how the shares can possibly be valued on a theoretical basis without an actual purchaser. In small businesses, shares are only worth what someone actually pays for them and this can only be observed ex-post and not in advance.

Martin Tod

Conor McGovern-Pa

Simon Dodd

MR M.H.Faiz

Martin Pierce             That it SHOULD NOT UNDER ANY CIRCUMSTANCES be related to giving up employment protections! Employee share ownership should be encouraged - but NOT through any linkage to giving up rights.

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks

Julie Barclay

Ross Welland

Clr. Nigel Jones         It should be restricted to people who have worked for the company for at least a year. It would be worth considering an expectation of commitment from the employee by allowing employers to recoup a small amount of the share benefits from those who leave the company after a short period of time; for example by insisting they relinquish the shares at the time of giving notice, rather than the date of actually leaving.

Sharon Bowden

Rob Pickering

Gerald Avison Shares should be purchased.

Eric Feltn

Matthew Walsh The key restriction should be on any government influence. Employees shouldn't be "bribed" to relinquish rights, and employers shouldn't be incentivised to give up control.

Allan Wakefield

Graham Shelton As far as possible shares should not be restricted. It add bureaucracy and work to no benefit.

george roussopoulo The proposal is totally misguided. Employee participation through shares is a good thing, but not if it involves relinquishing normal rights of employment.

Debbie Bullock clear guidelines!

David Goodall

Chris Lucas They should not be linked to employment rights.

Julian Huppert

Joan Finch

Alastair Macpherson Shares should only be issued to full time employees

Fiona Bell There should be no restrictions attached to the type of shares to be used and, though it is unclear if this is intended, should not be limited to new issues of shares so that transfers from existing shareholders would be permitted within these proposals. Limits on the classes or restrictions on shares will wipe out the cost benefits of these arrangements by imposing compliance in terms of professional costs and the time taken to ensure the legislative requirements are met. Note here that the value range starting at £2,000 might prohibit participation by start-up companies where the value of the shares at the outset might be very low. From a tax perspective, whether there are restrictions or not, Part 7 of ITEPA will pick up tax on manipulations in rights and restrictions or conversion rights. Any residual risk might be covered by a general anti-abuse provision applying to these proposals.

Deire MacGinley Don't do it, it's exploitative

E J Stacey see below

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeysondera I oppose the introduction of this sytem entirely - it will place employees at the mercy of employers, some of whom will use this as a stick to threaten employees (otherwise, why do we need enforcement measures to police regulations such as the national minimum wage? - how can you prevent exploitation of employees under this proposed system? You cannot.

William Jones Share ownership for employees is fine and can drive motivation within companies. But they should not be used to trade employments rights.

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart Share type should be same as those issued to directors. Restrictions on sale of shares should be limited to sale on leaving company at market value or company book value whichever is the greater

Chris Williams

Thomas Miles I don't see that there is any need to place restrictions on the issue of the shares. I also don't see why companies should be entitled to buy them back if the employee leaves. The employee has effectively "bought" these shares (in exchange for their employment rights), so why place further restrictions.

Matthew Lambert

Simon Banks It is not clear whether this question refers to the whole proposal or only to the implications of holding shares. If the former, then at the very least any surrender of employment rights in return for share ownership should be entirely voluntary for new employees. Discrimination against employees or prospective employees who rejected this option should be illegal along the same lines to racial or gender discrimination and in the event of this safeguard not being implemented, refusal of a job tied to this deal should not affect someone's JSA.

chri smart

Claire Booker

Robert Heale NONE. They should be offered to all employees but NOT in exchange for sacrificing their existing employment rights

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross To issue shares with no rights to vote, receive dividends or equity payments on dissolution would not make them at all attractive to employees. On the other hand, employers/directors may find the notion of giving voting rights to employees threatening (especially if they could use them to remove directors under section 168 of CA 2006!) and may not wish to see their own share of profits/equity being watered down by the employees' shares.

Jordan Clough

Nicolette Rattle

Rob Prowse As with Co-Op and John Lewis should not have to give up employment rights.

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell The number of shares issued should be the same for all employees, new shares can be issued every year. the shares are free of income tax at time of issue. The shares shall have full and equal voting rights to those held by the investors and business owners. The shares should be held within an Employee Share Option Plan (ESOP) scheme and be administered according to the existing rules for such schemes - which also give the employees the right to appoint a director. Once issued the shares belong to the employee.

Darren Newman The shares should represent genuine ownership of part of the business, rather than a nominal issue of shares that carry no rights in themselves.

Conor McGovern-Pa

Gev Pringle

Tracy Connell      That the shares are realistically valued, not only for distribution to employees but also for buy back. This proposal is completely open to abuse for companies to give employees £2,000 worth of shares, but to buy them back at a stupid price of say £200 when the employee leaves. Plus, because the employee can be dismissed at any time without any legal standing unscrupulous companies could take advantage of this to hire and fire at will. Therefore the issue of shares should have the restrictions that they will be issued with the understanding that at buy back the employee will get full market value for them, unless dismissed unfairly. But for this to work employment rights must be maintained, otherwise an employer could dismiss an employee unfairly but with no consequences and get away with giving them a fraction of their worth. There should also be written into the contract what the employee will gain from these shares - eg dividends, voting rights etc. There should also be a clause where, if the company fails the employee owners are not liable for the millions of pounds worth of debt that the company might owe.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis      There is no "bribe" (for this is what it is) that would induce me to give up my rights to ask for flexible working or to be protected from unfair dismissal. Many employees will feel the same.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley      This sounds like more red tape.

James Blessing

Kevin Slevin

Julia Hines      Employment rights should be retained fully.

Peter Stevens

karl meyer      This plan is fatally flawed and so this issue should not arise. The only reason for an employer to pay up-front to get employees to sign away rights is because they calculate that the cost of giving the shares is lower than the potential fines they would face through the mistreatment of staff. Under the current legislation, the costs of a typical unfair dismissal case is far lower than the median value of the shares offered suggesting that the employer would need to plan to dismiss virtually every new employee under these terms to make it worthwhile for them.

Bob Browning

David Evans      It shouldn't be offered.

Charles West

Allan Boyd

Andrew Toyne That shares issues should under no circumstances be used to buy out people's employment rights

Naomi Baseline employment rights must be maintained, such as notice periods, duty of care (health & safety and pastoral rights), maternity and paternity leave.

asdjkl;

Mark Inskip

David Ord They should pay dividends on the profits made by the employer.

Suzanne Fletcher

Richard Fagence None whatsoever. All employees should be entitled to shares in the business or enterprise as of right.

David Becket There should be no restrictions that affect employee rights. There has to be a restriction on onward sale of the shares, and return on leaving the company

trevor snaith Shares should be offered as performance bonus not for selling off job protection rights

Lois Norton

Richard East

Gareth Epps Legislation should take particular care to attach \*no\* restrictions to share ownership on exit, which would serve only to diminish the contribution of an employee owner. It would also almost certainly be likely to result in legal action and legal ambulance-chasing.

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom Company directors and other officers should be disallowed from purchasing employee's shares, since they have a disproportional ability to affect and predict the share value. Shareholder status should not affect employment conditions such as sick pay, hours worked, leave, etc. Again, individual's wanting to take risks with these things are already served by the possibility of creating their own business.

Katharina Draisbach

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling No restrictions on the issues of shares. Great restrictions on the 'freedom' of employees - which can so easily become irresistible pressure from employers - to give up rights that a century of negotiation and thoughtfulness have secured.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe The shares must have full voting rights.

Gavin Greig

Paul Whittle	
Dr D L Clements	
S. Page	Many companies already issue shares to employees, but not at the cost of further reducing employees' rights. I suggest you look at these and the different 'Partnership' models if you wish to encourage employees to feel more commitment to their employers' business.
Dave Harris	
David Hunt	
Roger Winter	
Sara	
LINDA WILKINSON	
Peter Catterall	
Cllr Richard Smith	
Julia	
Gareth Loveridge	
Sarah Haywood	We believed in share ownership, and experimented with a scheme 12 years ago; thankfully (from our viewpoint) it lapsed without value at the height of the recession. We have replaced it with improved pension rights and bonuses. At meetings, it became clear that our staff valued shares as a potential retirement nest-egg. Being entrepreneurial, we were managing the business to grow it, not to maximise their retirement returns. Adding a new set of owners with different aims to yourself is a recipe for trouble - if they are to be share owners they need full rights, if you don't want them to get them, they are better off remaining as employees.
Graham Phillips	No comment.
Sheryl Waterhouse	Shares should not be introduced to employees at the expense of employment rights.
Nick Barlow	They should be full shares with full rights of participation as an owner of the company, and their value should be independently assessed and demonstrated. If employees are to be effective 'owners' then they must be given shares that reflect that status, rather than ones that give them less rights in comparison to others.
David Edwards	n/a
Candace Kendall	
Sue Bollom	As above
qwer	
Tom Roberts	
David Daws	
Peter Shouksmith	
Karen Teago	It should be for businesses to determine these matters.
Charlotte Puttock	
James Hackett	
Jane Edsell	
Rod Dowler	
Gemma Brown	
Shona McCulloch	

Alan Lewis

CLIVE B. JOHNSO

Iolanda Carneiro

David Jobson

Rona Miller

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild they should not be offered as part of a shares for rights contract

George Potter They should only be issued if requested by the employees and both existing employees and prospective employees should not be placed under any obligation or pressure whatsoever to accept the issue of shares.

Gemma Roulston

Fiona White There must not be any suggestion of a loss of employment rights, including those relating to unfair dismissal, in return for share ownership. This is Beecroft by the back door and is unacceptable.

Mark Widdop

Helen Rowe

David Chaplin There should be no right to buy back on dismissal. Otherwise no employee in their right mind would take IP the offer as they could be dismissed instantly after signing the deal.

William Jones

Joanne Green A Bye Law would need to be passed for: 51% must be retained by the organisation to ensure it has ultimate control of itself; Barriers to entry such as minimum timescales in employment, no out-standing County Court Judgments, and registration on Electoral and Council Tax Lists; Voting and proposal rights for Employee Owners; Minimum timescale of employment such as three years service as an Employee Owner; and Automatic Pension Enrollment. If Agency's are able to have shares their volume needs to be restricted so they cannot merge with other Agencies to take control of the Employer company.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart No statutory restrictions. Under current tax rules for employee shares the use of restrictions can create artificial tax points - see above.

J. Janus

peter hough

David Winton



Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam I do not believe this will increase flexibility so do not believe the shares option is effective, fair or workable.

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry I believe the value of £2,000 for a full-time worker is too low and feel £2,000 should be for someone work less than 16.5 hours / week. Furthermore I believe the value of shares should be a function of salary, size of the business, hours being worked, and they requirements of the job. An entry-level graduate level job I would expect shares to be in the £10,000 - £20,000 range with middle management / professional in the £20,000 - £30,000 range with senior level jobs in the £30,000 - £50,000 range. In addition, I believe if the shares are not stock in a publicly traded company then the value of the shares must be calculated on the value of the business, the length the shares have been held, and must account for inflation over the time the shares have been held. Finally I believe shares need to be held for a period of 2 - 5 years before being sold and the business cannot force an employee to sell them back.

xx

Professor Deborah L

john murphy

Carol Tricks

Steve Parfett Not applicable given above comments

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards Employee owners should be entitled to dividends, voting rights is tricky as the impact of this will vary by organisation size. There should be clarity about the intended holding period - is the idea that the employee owner will hold a set number of shares indefinitely, with no way of realising value other than on termination, or is it the idea that there is a built in liquidity mechanism i.e. a set (3-5 year?) holding period after which the employee owner can sell shares back for an agreed valuation to the employer or into the market if listed. If the employee then no longer holds shares does their employment status revert to employee, or is the Company obliged to award more shares? Should the Company have a call option over the shares in order that the employee owner has no choice but to sell back to the company on exit? Fundamentally it is not clear how an employee owner receives value for a notional share holding.

anita monteith

Kevin Aggett

Tim Lloyd They shouldn't be offered as an alternative to fair and equal pay

Fiona Bell

Anon Don't know

Roger Chater Many small businesses do not have a share ownership structure and are unlikely to want to create it.

Craig Edmondson

Dale Sinclair

Niki Rosenbaum I am sure it will be for owners of businesses to choose what restrictions they place on shares and their value.

Neil Jones

Graeme Dickson The system must ensure that employees are not forced into the scheme. The value of buy-in at £2,000 is very low and it compares unfavourably with even the median Unfair Dismissal award at a Tribunal. Equally the type of employees who might be interested in such a scheme are likely to be higher earners who would (in unfairly dismissed) have much more valuable claims. This scheme is potentially a gimmick which fails to add anything to employment law but rather takes fundamental rights away for little reward. Those employers who might be interested in having more "employee owner" involvement could run a share scheme if they wished, but why would people give up such fundamental rights in return for £2k? No-one should be forced to engage with the scheme and those that are unemployed should not suffer a detriment if they refuse to accept a role which requires them to sign up to such a scheme.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale Control over the company is a significant issue. The issued share holding to 'employee owners' should be restricted to a minimum of 50% of the voting rights at any shareholder meeting in order to effectively enfranchise them in the decision making and therefore capital value growth of their holding. Without issuing 50% of the votes to the employee/owners their shares are worthless in the case of a company not listed on the market and should the company become non-solvent the risk for the employee/owner would be significantly higher than for normal employees with no associated value or benefit to accepting that risk. The 50% of the votes at Shareholders' meetings should be insulated from trading, for instance they should be separate voting rights as opposed to equity shares, so that any trading of the capital value of employee/owners does not impact on the control of the company. An example of how that can be implemented is through the voting rights being held in trust for employee/owners.

Flora Jafarzade

# Employee owner online consultation

## Question 4

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Catherine Shepherd The consultation suggests that companies who offer "employee owner" status will be under an obligation to "buy back" the shares once the employee leaves. Laws and regulations on the buy-back of shares have been under the spotlight for some time and we note that the Government has announced its intention to reform the current regime if "employee ownership" becomes an option. So far as we understand it is the Government's intention that these shares can be disposed of CGT free which assumes that (i) there is a market for shares and (ii) that employees can negotiate a sensible value for them. It is important that any legislation which is amended/introduced to bring in employee ownership carefully considers how share buy-back can be structured to ensure this. When considering "value", it is important to remember that an employee will be giving up their right to potential redundancy pay and a claim of unfair dismissal. A value below the market value may not therefore be socially acceptable and has the potential to impact on employee relations should an employer only offer some employees employment on this basis. A related issue is whether or not there should be a minimum buy back price so that an employee-owner has some guaranteed income on termination (in the same way as other employees with the requisite service will be entitled to a statutory redundancy payment). We are unclear as to the "certain circumstances" in which some other level of payment should be allowed. If this is a reference to some form of "bad leaver" provisions then again, this may be socially unacceptable given the fact that the employee will have already forfeited their right to compensation for an unfair dismissal claim. Indeed, an employee may dispute their employee-owner status (see our response to Q10 below). Consideration must also be given to the income tax implications of acquiring shares. Under current rules employees are subject to tax (and in certain circumstances, national insurance contributions) on shares acquired at less than market value. At the moment it is not clear whether the proposals will include income tax relief, either by attributing a notional value for the rights surrendered or whether some form of tax allowance will be available.

David Erdal Full value

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell The shares should be brought back for the higher of: 1. The original value when given to the employee 2. The current market price. 3. The last 30 day average market price. 4. If the company is in the process of preparing for a market listing then the employee has the option to delay buy back until the listing, so that it can occur at first trading day mid-market prices. In the (likely) event of the company going into liquidation the employee shareholders shall be ahead of other shareholders (ie. banks and investors) in the creditors queue. The buy back has to occur within 14 days of the employee forfeiting the shares.

Jamie Rowe full market value.

Daran Brown Full

Steve Collington Full value.

Rachel Evans The scheme should not go ahead. If it did, of course they must buy them back for full market value in all circumstances.

Merrie Mannassi The company must be able to dictate how the shares are valued and apply minority discounts - unless they have served some reasonable term e.g. 5 years. Then you could start to reduce the minority discount. Zero value for a bad leaver e.g. gross misconduct or some such item.

Jonathan Holden

Rob Hill

David Eastham As the paper says the precise valuation could be problematical. I rather thinks it ducks the whole issue and undermines itself on this point. Asking a question such as this is not helpful

Martin Ward No comment.

Prateek Buch

C Austen

Cornelia East

Laurence Ross The whole thing should never be allowed to happen.

Laura Josh

Laura Josh

Tracy Winter Full market value to ensure fairness to employees who have forfeited some of their employment rights.

Andrew OCallaghan

Mark Blackburn Employer should not be able to buy back shares except in open market. They should be given unconditionally

Ben Harding

DAVID HOSSACK It is difficult to reach a view on this as the "marketability" of the shares will vary hugely as between each company. Also, the question presupposes (i) that it would be the employer (and not some other third party) who buys the shares; and (ii) that the employer will be in a financial position to pay for the shares. It is unclear what would happen if the employer is unable to buy the shares.

Mark Lancaster

Andrew Harrison If employees are being asked to forfeit employment rights then I would suggest that any buy back of shares should be at full market value unless the employee is sacked for gross misconduct.

Sally Stone

Nichola Smith

Nicola Mullineux No response provided

Rob Pinniger There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Geoff Caesar

Claire Campbell

Will Winch            We believe the concept of employee owner means that the employee assumes a level of risk in the business. The value of the shares, given in exchange for their forfeiting employment rights, will go up or down, depending on the fortunes of the business. That risk works both ways. The employer should be prepared to buy back the shares at full market value, even if the "value" of the employee is reduced, for example by an act of gross misconduct (but see below). The "employee" half of their status is penalised by the loss of their job and notice pay, and would be unable to bring a claim for unfair dismissal, but the "owner" half is still entitled to its rights. This should also reduce the impact of satellite litigation whereby employee owners who have lost the value of their shares launch proceedings against their former employer for loss of those benefits. However, we recognise that there may be scope for abuse by employees. Employers should be entitled to wait for a probationary period of up to two years before issuing shares. This would discourage employees from resigning shortly after joining, and protect employers from paying employees who are clearly unsuitable for their businesses. We also recognise that paying an employee full value for their shares following an act of gross misconduct is likely to be unpalatable among employers and the concept of good leaver/bad leaver may need to be introduced. However, there is scope for significant litigation here. Who will decide whether the employee is a bad leaver? They will have lost their right to bring a claim in the Employment Tribunal for unfair dismissal, and therefore the Tribunal's powers may need to be extended to allow for a declaration in these circumstances, or the claim would need to be heard in the County or High Court (in front of judges who may not be used to dealing with employment issues). In any event, if the Government decides to introduce good leaver/bad leaver provisions, these should be carefully and clearly drafted to indicate the situations in which an employee would lose their shareholding. Otherwise, there will be considerable scope for litigation.

Billy Tonner            Oh go on then, give the employer the "right" to buy back "forfeit" shares at any old price he may want to pay for them. After all you are suggesting that it is the employer who will decide when a share is "forfeit". Why not go the whole hog and legislate for the "right" of an employer to make the employee pay him for "forfeit" shares as the employer will doubtless have "swingeing" costs associated with forfeiting the shares in the first place.

Ken Worthing

Martin Fletcher            The suggestion is not that the shares should be bought back at full market value - but at a "reasonable value". Unless there is legislation to protect the employee the "reasonable value" of restricted forfeitable shares would not be very much at all, so the employee would, indeed, only receive a fraction of market value. At the other end of the spectrum, wealthy employees will attach gearing to the share rights, so that the tax free CGT is much greater than the underlying increase in company value - perhaps linked to a reduction in value of other shares held, which would have attracted CGT.

.

Peter Reisdorf

Chris Fox            Full market value

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans            Ditto

Karen Ordoyno

Roger Englefield            Depends on good leaver/bad leaver provisions.

David James Portmo

Greg Webb            If the shares are not to be bought back at full market value, the owners are provided with a direct economic incentive to exploit those who have traded away their rights by managing them out of the organisation. For their ownership to be meaningful, it must be as close to standard equity investment terms as possible.

Peter Hayes

Richard Sealy            Full market value

Robert Carruthers            What is "full market value" in a situation where there is no effective market?

Martin Tod

Conor McGovern-Pa

Simon Dodd

MR M.H.Faiz

Martin Pierce This is a dumb question - in a small private limited company like mine, there is no 'market value' for the shares as there is no market. The only other thing you can do is to require a forced buy-back at either the relevant proportion of the net tangible assets of the business, or a proportion of that. Neither of those sound very attractive for the owner/founder beyond it being a very small % of the business.

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks

Julie Barclay

Ross Welland

Clr. Nigel Jones Full market value, since hopefully this reflects the position of the business which the employee will have played a part in achieving.

Sharon Bowden

Rob Pickering

Gerald Avison This illustrates the fundamental flaw in the proposal. The share valuation is an impossible task when trying to equate it with the loss of an employment right.

Eric Feltn

Matthew Walsh The value should be based on the latest set of accounts - this will eliminate any opportunism.

Allan Wakefield

Graham Shelton Tough question because with all systems like this you need some fair mechanism for valuing shares. This also adds cost. An agreed value with HMRC is probably the only sensible solution but again needs people to manage.

george roussopoulo Some mechanism which does not allow the majority shareholder to set the price is essential.

Debbie Bullock full value

David Goodall

Chris Lucas Full market share - but they should not be issued in return for employment rights.

Julian Huppert

Joan Finch

Alastair Macpherson The buy back should be at full market value subject to a deduction for costs incurred by the fofeiture.

Fiona Bell	For commercial reasons small private companies will have transfer restrictions requiring forfeiture or transfer for nil or nominal sums for bad leavers (usually anyone leaving voluntarily or for misconduct rather than for retirement, ill health, etc). To impose specific requirements as to market value related buy backs could prohibit the Company from funding the buy back if it could not raise sufficient finance, thus leaving a small company with an awkward minority shareholder. Further, the costs of valuation, both for the Company and HMRC, and the time involved agreeing the value, would be a disincentive to taking up the proposed shares in the first place. Pre-transaction valuations would be essential. What would be the position of stamp duty on a buy back if, for example, a company arranged for an existing shareholder to purchase the shares of a departing shareholder, would there be any relief if the acquirer was obliged to pay market value? Also, if market value were a requirement, would this be on the basis of actual market value or unrestricted market value and would there be the usual assumption of a willing buyer and willing seller even though it was a forced sale or purchase? Finally, if a purchaser in fact paid more than the market value (inadvertently, perhaps needing to purchase quickly as an employee owner left and before the values could be agreed with HMRC) would there be any additional income tax or other liability arising for the employee owner?
Deire MacGinley	Don't do it, it's exploitative
E J Stacey	see below
Miss Grant	
Keir Fuller	
Gill Phipps	
Janet Abeysundera	Do not introduce this system
William Jones	The minimum buy back of shares should be at buying price plus percentage premium above that depending on how many years held.
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	full market value or latest audited book value whichever is the greater.
Chris Williams	
Thomas Miles	As the shares have been effectively "bought" by the employee (in return for giving up their employment rights) I don't see why the shares should be bought back at anything other than market value or above. Even in cases of alleged gross misconduct, the employer will still have benefited from the employee giving up their rights so there is no need to apply a lower value on the buy back of the shares.
Matthew Lambert	
Simon Banks	At market value.
chri smart	
Claire Booker	
Robert Heale	
Trevor	Full market share
Ash Dorey	
Rory Roberson	
Louise Farrell	
Glenn Andrews	

Bev Cross	This is probably going to be the greatest stumbling block to implementation. A business may be balance-sheet rich but perform poorly. Conversely you can have businesses with little few capital assets but very healthy profit and loss accounts. One easy way would be to agree a valuation within the employment contract that both parties would be bound by - with the attendant risk that when and if the shares are bought back, their real value is considerably more or less than the agreed valuation.
Jordan Clough	
Nicolette Rattle	
Rob Prowse	Employee should not have forfeit shares and if they choose to sell them back it should be at full market value
Elaine Woodard	
m taylor	
James Moore	
David Poole	
Roland Bell	The employee should have the option of either holding the shares or selling the shares back. In the event of a sell back the employer should pay the greater of: the full market value, the value when issued to the employee, the notice/redundancy pay that would of been due. Such monies shall be free of NI, income and capital gains tax.
Darren Newman	Full market value. This should also be the position whether or not the employee has been dismissed for gross misconduct or resigned without notice, because the employee in that position will have no right to claim unfair dismissal.
Conor McGovern-Pa	
Gev Pringle	
Tracy Connell	The employee should get full market value for shares, unless dismissed unfairly. But for this to work employment rights must be maintained, otherwise an employer could dismiss an employee unfairly but with no consequences and get away with giving them a fraction of their worth.
Paul Clarke	
Gary McKenna	
Robert Hutchison	
John Ball	Current full market value or that applying at the time of allocation, whichever is greater.
Steve Comer	
Freya Copley-Mills	
cynthia james	
Laura Binnie	
John Harnedy	
P Edwards	
Melanie Davis	This scheme is complex, heavy handed, and will not work.
Gareth Epps	
Lorna Farrant	
tanya barman	
Ada Benson	
Matthew Swallow	



Tim Chudley	Even more red tape.
James Blessing	
Kevin Slevin	
Julia Hines	Full market value, independently valued.
Peter Stevens	
karl meyer	
Bob Browning	
David Evans	See above
Charles West	
Allan Boyd	
Andrew Toye	Full market value otherwise it would be theft against the employee
Naomi	Full market value.
asdjkl;	
Mark Inskip	
David Ord	Full Market Value
Suzanne Fletcher	
Richard Fagence	They should be purchased at full market value, subject to that being no lower than their issue or purchase price.
David Becket	Full Market
trevor snaith	Buy back of shares where person has been sacked /redundant/job offshored -- should be at 50-100 times face value . There needs to be a disincentive to get rid of staff
Lois Norton	
Richard East	
Gareth Epps	It should be full market value or otherwise with the consent of the vendor. Anything else would be subject to legal challenge and against the principles of natural justice. It appears this is another part of the legislation that has not been properly thought through.
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	Clearly market value seems fairest, however given that employers are in a position to predict and/or manipulate share price, the employee shareholders need further protection. This concept of forfeiting shares is simply unworkable, as the potential for abuse is to great.
Katharina Draisbach	
Rachel Prince	
Simon Tucker	
Lucy Hodge	
Emma Watts	
Maria Pretzler	

Daniel Henry

Christopher Pelling Full market value. But who is going to underwrite shares when the business has collapsed? The answer cannot be 'no-one', which would be forcing employees (as let us not pretend that the pressure could be less than effective compulsion) to play the same casino games as got us into this mess.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe This must be at the full market value. Otherwise, it will discourage employee mobility which will disadvantage the economy as a whole.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page I disagree with the concept of forfeiting shares on leaving a company, particularly if the employee is leaving of their own volition to further their career/working life or their post is made redundant. If this scheme is made available then it should be full market value, or the value of the shares at the time the employee received them if that is higher.

Dave Harris Full market value

David Hunt

Roger Winter

Sara

LINDA WILKINSON

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood Full market value is likely to be difficult in a fast growing company, where cash flow is usually a key constraint. Again from past experience, offering to buy a minority stake in unquoted company shares at an appropriate and affordable discount (in our view) led to a bitterly disappointed staff member who hasn't spoken to us since, although this was part of a package which was judged generous by our advisors. We actually could not have paid full value to all the shareholders at the time, this was not and I expect never will be, understood by the staff concerned.

Graham Phillips In every case the basis should be full market value.

Sheryl Waterhouse N/A

Nick Barlow At the very least, they should be at their full value - which should be independently assessed - and the employee should have the right to refuse to sell them back. If you wish to create true 'employee owners' then both parts of the term must have equal value. One cannot be an effective owner of a company if you can be summarily dismissed (thanks to the rights you've given up) and forced to sell back your shares.

David Edwards Full market value to prevent employees being ripped off by rogue employers.

Candace Kendall

Sue Bollom Full

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago This should be for businesses to determine and make clear to the employee-owner from the outset so that there can be no misunderstanding for the employee-owner that they have something of value if that is not the case in certain circumstances.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO

Iolanda Carneiro

David Jobson

Rona Miller full market value if purchased

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild Are you kidding me...the employer will offer a fraction of the original cost they said the shares were worth. Especially when additional legislation is considered ;'burdensome'

George Potter They should be bought back at market value plus 10% to discourage employers from abusing the system.

Gemma Roulston

Fiona White If you persist in this proposal any buyback should be at the original value when the employee acquired the shares or the current market value whichever is the higher.

Mark Widdop If an employee is to feel valued and motivated to work as an owner

Helen Rowe

David Chaplin There is no such thing as free market value when there is only one buyer. The only way to achieve that would be to allow the employee to sell the shares to whoever they want. No sensible small business owner would accept that.

William Jones

Joanne Green      The answer depends upon whether the shares are valued upon the Retail Price Index or the Consumer Price Index in addition to shares being linked in with Pensions. With having a prescription for Statutory Redundancy Pay being excluded I suggest the Retail Price Index be used because this will assist with Business Planning as it is based upon the previous years' rate. The Business Plans could also offer specific services using ordinary shares to employees aiming to be an off-shoot from the main business. For example the main business could offer shared services to the off-shoot organisation for a specific time-period or at reduced costs for example in areas such as Internal Audits, Human Resources, Pensions, Building Maintenance and repairs, etc. The cost of these services could be payed by the off-shoot ex-employee using shares therefore no actual cash is exchanged. Alternatively could there be an incentive offered by government whereby Preference shares can be given to employee who pay an additional National Insurance contribution so that their forfeit shares are put into the government's Statutory Pension when that employee leaves the company?

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart      see above

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam      Full market value at the very least with a guarantee for minimum (guaranteed)

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry      full market value

xx

Professor Deborah L

john murphy

Carol Tricks

Steve Parfett      Not applicable given above comments

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards	It depends on the the trigger for the buyback. It would be usual to have clear definitions of 'good leaver' and 'bad leaver' each with different treatments for staff who leave employment. BUt it comes back to where staff get value from shares at any other point, otherwise they will not be seen as having value.
anita monteith	
Kevin Aggett	
Tim Lloyd	Full market value
Fiona Bell	
Anon	Don't know
Roger Chater	If shares are issued the price must be determined by the market or the proper proportion of the business value if those shares are not generally tradeable as they may not in the smallest businesses.
Craig Edmondson	
Dale Sinclair	
Niki Rosenbaum	Full market value, plus interest at 6%.
Neil Jones	
Graeme Dickson	It should follow a system of "Good Leaver" / "Bad Leaver" which would allow the appropriate flexibility. However given what you are giving up to get the share rights the ability of an employer not to give you market value (or the minimum value ascribed to them initially if higher) should be extremely limited. Equally as the right to Unfair Dismissal is waived, how does an employee challenge their leaver status if required. Will this lead to more civil court actions?
Daniel Sear	
Della Thomas	
Chris Devine	
J Mackenzie	
Matthew Bleasdale	It should be at at least full market value, if not more than full market value (for instance the average over the previous 12months, or the 3 year high). The reason for this is that the economic cycle could lead to companies fluctuating their employment levels to the detriment of the state as well as to the detriment of the employee/owners who would have been forced to forfeith their shares at the low point of their value.
Flora Jafarzade	

# Employee owner online consultation

## Question 5

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Catherine Shepher	We consider this will be key challenge. Currently it is not possible to agree a tax valuation with HM Revenue and Customs in advance (except in the context of shares acquired under an approved share scheme). Gaining HMRC approval for share valuations take time. Whilst these proposals are intended to benefit young, entrepreneurial companies, it is unlikely that these organisations will have a quick and easy to use mechanism to value their shares in the same way that a listed company would. It would be unfortunate if this was not addressed because it is unlikely that employees will want to suffer an upfront charge on losing employment rights in exchange for shares which may never provide them with any value. To make the proposals workable, employees and employers will need clear guidance on how to value the shares offered and (if necessary) a means of agreeing that with HMRC in a timely way.
David Erdal	Write a formula into the articles, based on a multiple of profit, with a floor of asset value per share.
David Hole	
Bruce Hanton	
Phil Bagnall	
Mary Leeds	
Brian Ronald	
Indie Kaur	
Carl Nichols	
Roland Bell	If the shares are listed then the shares value is as determined by the market. If the shares are not listed then the shares will be valued annually with adjustments for more recent quarterly trading results. The valuation should be by an established accountancy business valuation method eg. turnover x 6
Jamie Rowe	no idea
Daran Brown	We use a weighted average of last 3 year's profit. As in last year's profit has a greater emphasis on share value. We also use the market multiplier of value for our type of business, ie a '5'0 multiplier of profit equates to business and thus share value. We would be happy to share our model in detail.
Steve Collington	Share valuation done through an independent third party or Government body. No ideas on existing costs for this.
Rachel Evans	In the same way they value any shares. The cost/admin is their own issue.
Merrie Mannassi	Ask company accountants but also allow the cost before tax, unlike at present.
Jonathan Holden	
Rob Hill	
David Eastham	It is difficult to see how any fair and equitable solution to this, other than an independent valuation would suffice. It has an inevitable cost. Any less rigorous approach would have the potential for introducing conflict rather than harmony.
Martin Ward	No comment.
Prateek Buch	
C Austen	
Cornelia East	
Laurence Ross	The whole thing should never be allowed to happen.

Laura Josh

Laura Josh

Tracy Winter      Speak to accountants to get recommended independent valuers. Cost impact may be included in terms and conditions so that employee owner pays half of this cost and if challenges they pay their own cost of second valuation.

Andrew OCallagha

Mark Blackburn      Through agreement with employees - if it's an employee benefit, employee can judge the value

Ben Harding

DAVID HOSSACK      The fair approach would be for there to be some sort of independent valuation mechanism, but there would necessarily be a cost involved.

Mark Lancaster

Andrew Harrison      I'm assuming that when shares are issued to employees the value will be based on either a profit multiple or NAV divided by the shares in issue. This valuation formula could be communicated and known by employees so that they have clarity around the value of their shares when leaving. Any independent valuation process will be expensive and subjective.

Sally Stone

Nichola Smith

Nicola Mullineux      No response provided

Rob Pinniger      There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Geoff Caesar

Claire Campbell

Will Winch      If the shares of the company are traded on a recognised investment exchange, this will not be an issue. However, for the majority of SMEs and start up businesses, this will not be an option. Private companies will therefore need to have a fair method of valuation if they want to avoid any later disputes with employees. For instance, if an employee is concerned that they have not been granted £2,000 worth of shares in the first instance, will they then be entitled to bring claims for unfair dismissal on the basis that the employer has not engaged them in accordance with the rules governing the new category of employee status? (Similarly, what happens if an employer refuses to buy back the shares on exit, or does so at an undervalue? Would an employee be entitled to bring a claim in those circumstances?) It is not reasonable to expect employers and employees mutually to agree on the value of a share offering without requiring the employer to provide sufficient evidence of the value of their business: otherwise, employees will have little or no visibility of the worth of the offer being made to them. Similarly, on exit, it will be open for employers to manipulate the share price by, for example, lending money to the business at extortionate rates, or by granting themselves pay rises or bonuses, thereby decreasing the capital value of the business, or by diluting the share value by issuing new shares. We are concerned that minority shareholder disputes often involve costly and complicated valuation disputes. These are far more expensive and time consuming than claims brought in the Employment Tribunal, and will therefore increase the burden on employers and disadvantage employees. It is likely that employees will suffer the greater disadvantage, as a claim brought in the county court or high court will carry with it the risk of costs. Given that the value of the claim may be only in the region of £2,000, employees may find themselves without an effective remedy. Accordingly, any business offering an employee owner a role should be required to provide evidence of the value of their business on entry and on exit, and that evidence should come from an independent source, the cost of which would have to be carried by the company.

Billy Tonner      No probs. See No 8. That should sort that one out for you.

Ken Worthing

Martin Fletcher      This question suggests that the company might be allowed to value the shares itself. If the employee owns the employee has a right to ensure that they are properly (and independently) valued.

.

Peter Reisdorf

Chris Fox Full independent valuation The cost is secondary to the principle.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans Without an independent valuation there would be no transparency and therefore the risk of workers being cheated.

Karen Ordoyno

Roger Englefield Valuation of the shares for this purpose, ie internal market purpose, should be done via an amendment to the Articles so that everybody is aware.

David James Port

Greg Webb Staff are trading away their employment rights in exchange for partial ownership of the company in an effort to reduce the cost burden on the company; it would be fundamentally unjust for valuations at times of disposal to then be entirely on the company's terms or the employee would be losing out at all stages of the process. for this to be meaningful and fair, valuations must be as transparent and fair as reasonably possible, which requires independent valuation. Without this the whole process risks devolving into a naked and wholly unbalanced rights grab by employers.

Peter Hayes

Richard Sealy

Robert Carruthers Valuation, particularly of small businesses with short track records, is a highly subjective matter. Even if possible, this would require added but unknown cost in terms of professional fees and time within the business. Presumably, if the valuation were to be independent, this would be even higher than one carried out by existing professional advisors.

Martin Tod

Conor McGovern-P

Simon Dodd

MR M.H.Faiz

Martin Pierce This could easily end up being a huge amount of red tape and/or litigation - because of the point above, that there is no market for these shares. Hugely unattractive. Much better is tax breaks for employee shares, but no compulsion to buy them back

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks

Julie Barclay

Ross Welland

Cllr. Nigel Jones

Sharon Bowden

Rob Pickering

Gerald Avison The usual method of valuing shares is the free market. People buy shares from someone who wants to sell at the agreed price. Similarly people sell shares to someone who is willing to buy at an agreed price.



Eric Feltn	
Matthew Walsh	Require the valuation to be determined as part of the process of year end accounts. It will incur additional cost and time but at least it will not require a completely new process.
Allan Wakefield	
Graham Shelton	There are plenty of existing ways. Probably a simple evaluation of the balance sheet is most practical.
george roussopoul	It would be high for small/start up companies, yet essential.
Debbie Bullock	independent valuation
David Goodall	
Chris Lucas	Market capitalisation.
Julian Huppert	
Joan Finch	
Alastair Macpherso	
Fiona Bell	See comments for 8 above.
Deire MacGinley	Don't do it, it's exploitative
E J Stacey	see below but you could require the audited accounts to show year end valuations for unquoted companies and only use those. Historical figures are already used in pensions and life insurance provisions in companies.
Miss Grant	
Keir Fuller	
Gill Phipps	
Janet Abeysondera	Do not introduce this system
William Jones	An independent valuation should be made.
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	Value based of full audited book value or market value at time of leaving whichever is the greater. As a share holder the employee would have access to the company accounts.
Chris Williams	
Thomas Miles	Sorry - I have no experience/knowledge of this area.
Matthew Lambert	
Simon Banks	To protect employees against sharp practice, I imagine an independent valuation might often be required and there should be legal safeguards on this point. As for the impact of such a valuation, that is not for me to comment.
chri smart	
Claire Booker	
Robert Heale	
Trevor	

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross

The valuation could reasonably reflect the balance sheet value and the current profitability of the business with a factor for future likely profitability (say over the next 3 years). I would imagine that many small businesses (especially if they fairly new and lack capital assets) would struggle to find a purchaser on the open market - so valuations based on that may be fairly meaningless. Regarding costs of independent valuations, it depends on who is appointed to carry these out. A comparable case is the cost of getting an EPC for business premises. Could a formula be devised that employers could use as a ready reckoner?

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell

Where the company is not listed then the valuation will need to be by an independent and according to an established formula. whilst this is likely to result in a conservative valuation, it avoids a speculative valuation. Where a company is openly traded on a stock market then the shares carry the greater of the value on the day or the average value of the immediately preceding 30 days.

Darren Newman

I have no idea. Its strikes me as a very complicated and difficult problem. This is the sort of issue that needs to be decided before a Government decides to embark on a policy, not afterwards.

Conor McGovern-P

Gev Pringle

Tracy Connell

A company should have their shares valued by an independent stock market evaluation, both at distribution and at buy back. Any other system would open up avenues for abuse by the employer for either overvaluing or undervaluing shares.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis

There is no valuation that can be put on the right to ask for flexible working. Many mothers would not give up this right for £50,000, £100,000 or £1,000,000. Our obligation to look after our children (which is a legal obligation) cannot be sold or given away for a bribe.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley      Leave this to the market, the shareholders and the management.

James Blessing

Kevin Slevin

Julia Hines      There would be a significant cost to valuing the shares, but ultimately, a company which is prepared to remove employment rights from companies would have shares of limited value, because it is a de facto sign of a poorly managed company. Independent valuations would be required both on entry and leaving the scheme.

Peter Stevens

karl meyer

Bob Browning

David Evans      See above

Charles West

Allan Boyd

Andrew Toye      Impossible to value unless the company is stock-market listed. (A company that is wholly owned by its staff will obviously not be listed).

Naomi      Technically it should use the present value of the future cash flows of the business. The NPV method as this accounts for risk, interest rate change, inflation etc.

asdjkl;

Mark Inskip

David Ord      Any good company should be perfectly aware of their value and so the shares are worth whatever percentage of the net worth. The same basis upon which they should be issued.

Suzanne Fletcher

Richard Fagence      A company should carry out an independent valuation of shares. The costs, to be borne by the company issuing the shares, should be whatever they need to be.

David Becket      Independent valuation is needed to ensure fair play, at a cost.

trevor snaith      Share value should be set at value of like shares trading on stock exchange. What safeguards are there to stop company founders manipulating the share price for personal benefit (increasing salary and/or perks) pushing down dividends, and/or to reduce tax liability

Lois Norton

Richard East

Gareth Epps      That is for the authors of these proposals to state. It is incredible that they appear not to have thought this through.

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom	Market forces have established several mechanisms for estimating share value. Clearly the only difference here requiring additional measures is that these 'employee-ownership' schemes have a greater than usual risk of abuse and inappropriate promotion to vulnerable employees. Greater care then must be taken to ensure that valuation reports are comprehensible to all employees to whom the scheme is offered, no matter their level of literacy, numeric, etc. This cost should be borne by the company, indeed this cost is a factor in the share value itself!
Katharina Draisbac	
Rachel Prince	
Simon Tucker	
Lucy Hodge	
Emma Watts	
Maria Pretzler	
Daniel Henry	
Christopher Pelling	It should not be up to the company. The important question is again what would happen when a company has gone bust.
Chris Lovell	
Maria Pretzler	
Martin Tod	
Peter Howe	Compared to the proposed share costs (£2,000 - £50,000) the valuation costs would be minimal.
Gavin Greig	
Paul Whittle	
Dr D L Clements	
S. Page	-
Dave Harris	
David Hunt	
Roger Winter	
Sara	
LINDA WILKINSO	
Peter Catterall	
Cllr Richard Smith	
Julia	
Gareth Loveridge	
Sarah Haywood	Difficult for an unquoted company - you need to chose your method (asset value, earnings per share or whatever), bearing in mind the implication for yourself as (presumably) majority stake holder. In our experience 12 years ago the valuation cost £3500 and the annual update was £1500. Our staff had options to buy which would have been very valuable had global markets continued their rise in 2008, but that was not what happened. The final indignity was when we had to pay another £3500 for a full report to tell us that the shares were worth less than they were at the outset, and hence the options had no value.
Graham Phillips	It is important that there is an independent valuation. There should be an independent valuation whatever the cost, which presumably would not be substantial anyway.
Sheryl Waterhouse	N/A

Nick Barlow An independent valuation should be required to ensure that employees are not being fleeced or scammed by people over stating the value of their business. Government should ensure that any independent valuation is truly independent and not someone over-inflating value for their own benefit and the detriment of employees. There have been many scandals of publicly traded companies having over-inflated share prices, and this scheme offers many opportunities for the same to happen with privately traded companies. The Government should also consider how it will monitor this scheme for potential tax avoidance and evasion at the top end. For instance, how will they ensure that the £50,000 limit is not evaded by clever accountancy pushing down the apparent value of a company? How also will they ensure that investors don't get themselves declared as 'employee owners' despite never actually working for the company in question, merely doing so to take advantage of the CGT exemption?

David Edwards Independant by a qualified accountancy firm.

Candace Kendall

Sue Bollom Don't know

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago I do not have sufficient expertise in this area to comment other than to say that independent valuations are likely to result in increased costs to businesses wishing to use this mechanism. If companies are to carry out their own valuations these should be transparent and clear to potential employee-owners so that they may decide whether the employee-owner contract is for them

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO  
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Iolanda Carneiro

David Jobson

Rona Miller it would be very costly and would need to be undertaken by an independent organisation - the cost would vlearly have to be met from the valuation of the shares or else teh cost is an extra burden on teh business

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild it shouldn't happen in the first place

George Potter An independent valuation should be mandatory and the administrative cost impact should be left to the market to encourage companies to think fully of the consequences before embarking on any such scheme.

Gemma Roulston

Fiona White Shares must be valued independently and at the company's expense.

Mark Widdop As this proposal is aimed primarily at a small number, of start up companies for which the value is hard to monetise, as well as the cost of an independent valuation there could be additional costs of legal challenge and defence where this was not agreeable to both the employer and the employee

Helen Rowe

David Chaplin The costs and complexity far outweigh the theoretical costs involved in dismissing someone fairly. What's more, the costs arising from unfair dismissal are uncertain whereas those of share valuation etc are certain and unproductive.

William Jones

Joanne Green Regular Surveys of Assets by Royal Institute of Surveyors and Audits by Chartered Institute of Internal Auditors. The administrative impact of the independent valuation will be offset by the transparency and honesty of the results that are found. These findings will encourage employees to become Employee Owners.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart with great difficulty, unless there is a ready market in the shares already, or the company's financial position is stable, not growing.

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra McAdam An independent valuation would be necessary so just switching costs of employment tribunals to a higher jurisprudence forum makes no sense economically or logically.

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry If the company is publicly traded on the London Stock Exchange then the shares should be valued in line with current market price. If the company is privately held, a small corporation, a LLP, or proprietorship then must be calculated on the value of the business, the length the shares have been held, and must account for inflation over the time the shares have been held. Finally I believe shares need to be held for a period of 2 - 5 years before being sold and the business cannot force an employee to sell them back. Any valuation cost or administration cost must be absorbed by the business and this will be reflected in the yearly financial statement regarding costs.

xx

Professor Deborah

john murphy	
Carol Tricks	
Steve Parfett	Not applicable given above comments
Tracy Connell	
Jon Robinson	
Doug Shaw	
jeremy tobias-tarsh	
Fiona Aldridge	
simon garbett	
Belinda McIntosh	
Robert Edwards	It could be though a simple, agreed valuation fomula for the business i.e. 5 X annual earnings + assets + surplus cash divided by the share capital. More complex solutions will put off take up enormously.
anita monteith	
Kevin Aggett	
Tim Lloyd	
Fiona Bell	
Anon	Don't know
Roger Chater	This would simply not make sense for very small businesses.
Craig Edmondson	
Dale Sinclair	
Niki Rosenbaum	Value of shares should be directly related to turnover. The Govt should bear the cost of valuing shares independently if required, as it is not an initiative I have heard any business owner express a desire to see made reality.
Neil Jones	
Graeme Dickson	If a company participates in such a scheme, then the benefit to them is a flexible workforce who do not have fundamental employment rights. The cost of the valuations etc is something they should bare as a quid pro quo. A clear mechanism should exist but the cots should be borne by the employer.
Daniel Sear	
Della Thomas	
Chris Devine	
J Mackenzie	
Matthew Bleasdale	Independent evaluation with the evaluator nominated by, and contracted to, the trust holding the voting rights of the employee/owners, at teh expense of the company. If the company is not publicly traded the cost of valuation is likely to outweigh any value of the employee/owner employment structure.
Flora Jafarzade	

# Employee owner online consultation

## Question 6

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Catherine Shepher	Government guidance for both businesses and individuals would be welcome to support the statutory provisions. However, clarity is needed as to how the Government intends to ensure that an employee validly gives up his statutory rights in return for shares without an employer fearing arguments on this point down the line. Where the shares have a low value on termination, an employee may have little or nothing to lose by arguing that he or she did not understand the rights that they were giving up on signing their contract of employment. An employee waiving such rights on termination is required by statute to enter into a compromise agreement on which they have received legal advice. However, a requirement for employees to take legal advice at the start of employment is perhaps not ideal for "boosting" an employer's desire to recruit. Getting this right for both employers and employees is not going to be easy.
David Erdal	Employees should not give up legal protections. Shares given should be combined with participative management practices – informing, consulting, engaging in improvement processes – to build trust and involvement. Then the creativity of employees will be forthcoming.
David Hole	
Bruce Hanton	
Phil Bagnall	
Mary Leeds	
Brian Ronald	
Indie Kaur	
Carl Nichols	
Roland Bell	Objective and unbiased advice and guidance must be provided to the prospective employee at time of negotiation - along with a cooling off period - just like any other financial investment product sale.
Jamie Rowe	no idea
Daran Brown	We concur with recommendations in the latest Nuttal review.
Steve Collington	Keeping the employees informed would be desirable.
Rachel Evans	It should not be permitted for employees to trade in their employment rights for shares. If this is pursued employees should be provided with independent advice from specialist lawyers free of charge. Businesses should be responsible for obtaining their own advice.
Merrie Mannassi	Quite a lot - also to be allowable before tax.
Jonathan Holden	
Rob Hill	
David Eastham	This whole question is made nonsense by the fact that organisations will be able to offer exclusively these contracts to new hires. As such there is little choice for an individual if they desire employment but to accept, whatever the implications are. This will not be a question of informed choice and therefore this question is nonsense.
Martin Ward	No comment.
Prateek Buch	
C Austen	
Cornelia East	



Laurence Ross      There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Laura Josh

Laura Josh

Tracy Winter      It is extremely important that clear, easy to understand, unambiguous advice is provided to individuals and businesses as it will also assist courts and tribunals who may have to make decisions based on this advice.

Andrew OCallagha

Mark Blackburn      Make it as simple as possible with as little bureaucracy

Ben Harding

DAVID HOSSACK      Employees would need to be advised to take independent legal advice. Arguably, they should be compelled to do so (as is the case with settlement agreements) and so it may be that clear general guidance rules for employees should be prescribed. The costs of legal advice and obtaining valuations could (depending on who bears this cost) outweigh any advantage to the employer in having the employee waive their rights and/or the value of the shares.

Mark Lancaster

Andrew Harrison      If this new status is about encouraging real employee ownership as seen at John Lewis, School Trends, ARUP, Highland Home Carers, Gripple, etc. then I firmly believe that this new status will be ignored as it goes against the type of culture that these companies would want to create. I fear that organisations that opt for this new status will do so not to encourage real employee ownership, but rather will adopt this due to the ease with which they will be able to remove/reduce employees.

Sally Stone

Nichola Smith

Nicola Mullineux      No response provided

Rob Pinniger      There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Geoff Caesar

Claire Campbell

Will Winch      As this will involve employees waiving statutory rights, and these rights are usually only waived by compromise agreement, we consider that the government should provide detailed, balanced advice online for employees. Further, we consider that the provisions of the Employment Rights Act 1996 may need to be amended in order to carve out employee owners from the rules relating to contracting out of the relevant employment claims.

Billy Tonner      Why suggest this? If the advice to any employee was don't touch this with a bargepole, what would their legal position be? Would Woolworth's employees have had any protection if this proposal was active when they went bust?

Ken Worthing

Martin Fletcher

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Peter Reisdorf

Chris Fox      Whatever is necessary to give the employee an unbiased, independent valuation.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans	Considerable.
Karen Ordoyno	
Roger Englefield	Clear and transparent unequivocal advice is required so as not to build up legal issues in the future.
David James Port	
Greg Webb	
Peter Hayes	
Richard Sealy	
Robert Carruthers	Substantial advice would be required, particularly around the rules for share valuation.
Martin Tod	
Conor McGovern-P	
Simon Dodd	
MR M.H.Faiz	
Martin Pierce	Inevitably both individuals and businesses would need a good deal of legal advice in what would be potentially a very complicated arrangement - especially to protect themselves in the event that there were a dispute and one party claimed they didn't know what they were letting themselves in for.
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	It is essential that all employees or potential employees are informed about the loss of employment rights under the Employee Owner contracts. It is particularly important that pregnant women and new mothers are informed about the reduction of rights in relation to notice for early return from maternity leave and requesting flexible working. This information should be available online, by telephone and in community languages. Many pregnant women and new mothers are not aware of their rights at work. The 2005 Equal Opportunities Commission inquiry found that half of all women in the workplace experienced some form of pregnancy discrimination and 30 000 women each year lost their jobs as a result of pregnancy discrimination. 45% of women who took no action, did so because they were unaware of their rights.
Julie Barclay	
Ross Welland	
Clr. Nigel Jones	There will need to be access to advice from the government BIS department and in the case of employees, access to advice from the TUC, references to businesses where this kind of arrangement already operates etc.
Sharon Bowden	
Rob Pickering	
Gerald Avison	It is not difficult, you set up an internal market.
Eric Feltin	
Matthew Walsh	For both employers and employees they should have the support of and FSA backed advisor in a similar way to when pension schemes are opened and joined.
Allan Wakefield	
Graham Shelton	Just adopt the KISS principle and then the need for lots of people goes away.

george roussopoul

Debbie Bullock statutory advice.

David Goodall

Chris Lucas

Julian Huppert

Joan Finch

Alastair Macpherso Individuals in particular will need clear advice regarding of having their savings and employment in the same company.

Fiona Bell The situation proposed seems comparable to the requirements for a departing employee to be independently advised in the context of a compromise agreement. The employee owner/ investor would need advice on the reduction in legal rights, the tax and national insurance implications and also, perhaps, independent financial advice on the proposed investment. This is not advice the company could offer. Would the costs of providing this, if borne by the employing company, be a taxable benefit for the employee or a corporation tax deductible expense for the company? The cost and inconvenience might be a deterrent. Note, would the provision of this advice fall to be investment business under FSMA 2000? Whilst there are exemptions for employees' share schemes as defined in section 1166 of Companies Act 2006 an arrangement for a single person who is not categorised as an employee would not appear to fall within the definition of an employees' share scheme: discussed further below.

Deire MacGinley Don't do it, it's exploitative

E J Stacey The above questions show the potential complexity of this proposal and as a result take up by businesses may be disappointing. It is the business that has to decide to do this and the risk of diluting ownership outweighs the advantages of being free of limited unfair dismissal claims.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeysondera Do not introduce this system - it will not help decent businesses who want to work with their employees and it will cause serious hardship for many

William Jones There should be full information available and a clear choice available.

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart employees will loose rights for the nebulous value of company shares employees should be reminded that if redundancy is needed the company worth will be at its lowest and the share values least just when they need to replace the statutory redundancy payments given away.

Chris Williams

Thomas Miles A detailed factsheet should be sufficient. This will need to cover the full range of issues, such as what shares in a company are, what they mean, their actual "value" to the employee - i.e. what do they give to the employee and what the employee can do with the shares.

Matthew Lambert

Simon Banks The proposal would imply the Government funding some specialist advice services. It could invite voluntary sector organisations (including Trade unions) to bid for contracts.

chri smart

Claire Booker

Robert Heale

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross      To ensure fairness, the advantages and disadvantages for each should be made available to the other. My initial appraisal would indicate that this scheme is potentially far more beneficial to employers than to employees. Also will it create an opportunity for further divisions within a workforce to add to the others - full-time versus part-time; fixed term versus permanent?

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell      The fact that advice and guidance is considered necessary is a sure indication that these proposals have no real value. To have value their benefits and downside should be obvious to all.

Darren Newman      The employee should be given a statement, separate from the contract of employment, listing the rights that he or she will not enjoy as a result of entering into the contract and a statement of the benefits that he or she will enjoy as a result of ownership of the shares. The employee should be invited to sign the agreement, but must be entitled to be free from detriment or dismissal as a result of refusing to sign.

Conor McGovern-P

Gev Pringle

Tracy Connell      The Government should place conditions on the employer that they release ALL details of what the employment status entails - both advantages and disadvantages - to the employee before any contract is signed and to negotiate contract clauses. It should be completely transparent.,

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis      If companies introduce this status for all new employees, I will become unemployable as I would never sign such a contract. Beware the legal issues that will arise from making competent young women unemployable - we will sue.

Gareth Epps	
Lorna Farrant	
tanya barman	
Ada Benson	
Matthew Swallow	
Tim Chudley	There are far better ways for the government to support the development of the sector. READ THE NUTTALL REVIEW!
James Blessing	
Kevin Slevin	
Julia Hines	
Peter Stevens	
karl meyer	
Bob Browning	
David Evans	See above
Charles West	
Allan Boyd	
Andrew Toye	Weigh the financial value of employment rights against the value of the shares on offer and see what is the greater. (How much in a redundancy payment would you forfeit in exchange?)
Naomi	
asdjkl;	
Mark Inskip	
David Ord	Full advice
Suzanne Fletcher	
Richard Fagence	As much information as necessary.
David Becket	Both the company and the employee will need full independent legal advice to avoid mis-selling we have seen in other areas
trevor snaith	There is no obligation, either, for employees to be offered legal advice before entering into a contract of this nature. We need costs borne by employer for impartial advice
Lois Norton	
Richard East	
Gareth Epps	There should without question be a right for an employee to take legal advice before being allowed to give away their rights - if there is going to be any element of compulsion.
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	Again, there are employees who are not intellectually capable of undertaking a cost/benefit analysis of this scheme. Communicating the implications of employee-owner status in a cost-effective yet ethically correct way presents a hard problem.
Katharina Draisbac	

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling A good deal more than the Government seems to be planning, or has probably received itself.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe Clear notification in a written contract of employment, combined with provision of independent information (for example, through a Trade Union or Government web site) would be sufficient.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page For the employee the detrimental aspects must be clearly spelt out. All contract documents must be in plain English and checked as such by an independent third party - the Plain English Campaign would be a good point.

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSO  
..

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood We offered shares only to managers, and even with this group, and a costly half day "welcome to shareholding" session provided by our advisors, we felt the general level of understanding was low. Given that these shares will be accompanied by the removal of some employment protection rights, I think the response will be far from enthusiastic.

Graham Phillips There needs to be comprehensive advice and guidance.

Sheryl Waterhouse Any advice would have to be independent and free for employees - e.g. by an independent lawyer (not the company's lawyer) or by a trade union. If the advice was given by the business, I don't think they could be trusted to give honest advice as they would be biased.

Nick Barlow Detailed advice and guidance should be given, and potential employee owners should have confidence in both the value of the shares they are being given, and the potential of the company before accepting them. Government should ensure that employees are not pressurised into agreeing contracts of this sort in exchange for worthless shares.

David Edwards

Candace Kendall

Sue Bollom As for 5,6 and 7

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago Contracting out of employment rights is currently only possible by way of a compromise agreement. I have seen for myself many employees who would have been disadvantaged by proposed settlement terms had they not received independent legal advice on termination of employment. Equivalent safeguards must be in place for contracting out of rights at the outset of employment. Clearly the employee-owner contract itself could be the vehicle for an effective waiver of rights but there must be some mechanism to ensure employee-owners understand the implications of signing. This leads on to the question of where the advice should come from as the employee-owner concept involves issues of employment law and the law relating to share issue, shareholders rights and the operation of share schemes, not to mention the tax implications. The difficulties involved in ensuring the potential employee-owner is adequately advised could lead to significant costs at the outset or on termination of employment if a means of ensuring individuals receive appropriate advice is not developed as part of this proposal.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO  
..

Iolanda Carneiro

David Jobson

Rona Miller a lot of advice needed - its not worth the hassle - better to operate a good business instead

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild full independent legal advise paid for by the employer

George Potter Potential employee owners should be fully informed of all the rights they would be waiving in exchange for agreeing to the scheme.

Gemma Roulston

Fiona White This is Beecroft by the backdoor and must not happen. No amount of advice can change the fact that the negotiation is on an unequal basis and that the balance is in favour of the employer.

Mark Widdop Employees would need considerable advice if moving into employee owner status; there is considerable uncertainty over the value of shares. Employee Owners may require considerable legal advice prior to entering into a contract to become an employee owner, and the personal liabilities of the employee would require defining. Some of this advice will be required to fall into the Job Centre Plus system as it remains to be answered if job seekers could be subject to sanction for failing to enter into an employee owner contract.

Helen Rowe

David Chaplin Far more than would be needed to just employ someone and so unjustifiable.

William Jones

Joanne Green For me to take up Employee Owner Status I would want to be assured that the shares are independent to my pension. Currently I pay into an automatic enrolment and would not want this hampered by a Pension Scandle whereby the organisation is able to use my pension to top-up their share price or defer payment because of Culumative preference. Having the shares independent to pensions could mean that organisations will be able to contribute to pensions because of the additional income the organisation has from the Employee Owner Status gains.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart If to be done otherwise than by a standard written health warning, this can only really be done by use of a similar procedure to Compromise Agreements, and adds another unnecessary burden.

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam Need more than a webiste.

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry I believe the government must provide comprehensive advice for employees in order to understand their rights and responsibilities under the scheme. This will be especially true once the program, if implemented, occurs and the government should provide a high level of support for workers during the first 5 - 10 years in order to ensure any changes are correctly communicated.

xx

Professor Deborah

john murphy

Carol Tricks

Steve Parfett Not applicable given above comments

Tracy Connell

Jon Robinson



Doug Shaw

jeremytobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards      How would this integrate with company share save schemes, CSOPs or unapproved share schemes where a material level of employee share ownership is already in place? Would there be an obligation to covert staff to employee owner status as a result of share ownership. I think that would be a bad idea. However, I don't see the upside for employees with the proposed arrangements, when do staff gain value?

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon                      Detailed, expert advice

Roger Chater            There should be a requirement for independent advice to have been given,, rather as with compromise agreements.

Craig Edmondson

Dale Sinclair

Niki Rosenbaum        An independent Solicitor must oversee issue of shares and advise impartially if there are concerns.

Neil Jones

Graeme Dickson        Clear, simple advice and the fact that employees are giving up fundamental rights should be highlighted and emphasised,

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale     Significant advice would be required on both sides (espeically the employees) due to the wide reaching adn fundamental changes it implies to the nature of the market. The cost of that advice to employeees will be very significant due to the high number of individuals required to be informed.

Flora Jafarzade

# Employee owner online consultation

## Question 7

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Catherine Shepher See our response to Q10 above and our concerns on an employer's desire and ability to recruit if an employee is required to take legal advice to validly waive the statutory rights they are forfeiting. In any event we do not consider that the limited unfair dismissal protection enjoyed by these employees will increase an employers' appetite to recruit. Such employees will still be able to raise other claims on termination. The Equality Act 2010 significantly clarified the wide scope of discrimination law covering nine protected characteristics and various different types of discrimination, including associated and perceived discrimination. Whilst an employee may not ultimately have a successful claim, he or she may still be able to issue a claim with enough merit to still cause disruption to their former employer. Similarly, an employee may be able to bring him or herself within one of the "automatic" unfair dismissal heads, such as whistleblowing. We are also concerned that an employee will simply dispute their employee owner status or bring claims related to their shareholder rights and/or the valuation of their shares. Courts may find themselves grappling with an unattractive mixture of employment and company law rights and businesses as employees facing litigation in unfamiliar arenas.

David Erdal Positive. but also positive on 'letting go'. this will undermine any possible positive effect. It is manipulative, not trustworthy.

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell Unethical companies will happily locate in the UK and encourage immigration to fill the jobs that according to their management "UK nationals are too lazy to fill". As we saw in the 2000's, these people will come to the UK accept lower wages and conditions, whilst also claiming state benefits and put pressure on housing, NHS, social services etc. etc.

Jamie Rowe depends on the employer i would guess,

Daran Brown I believe it will make it harder to hire. But we generally don't struggle to hire and we insist for 5% of first year salary to buy minimum share stake.

Steve Collington None.

Rachel Evans No impact.

Merrie Mannassi None

Jonathan Holden

Rob Hill

David Eastham Very little I would have thought.

Martin Ward It seems unlikely to have any great impact.

Prateek Buch

C Austen

Cornelia East

Laurence Ross Wrong question. What impact will it have on employees, who make up the overwhelming majority of the population?

Laura Josh

Laura Josh

Tracy Winter It does not have a great impact on the unfair dismissal protection, particularly in cases of discrimination and it has no effect on any employment legislation that has come via EU Directives. Also, unless the equity share scheme is easy and straightforward to implement for employers, it is unlikely it will a great incentive to employers

Andrew OCallagha

Mark Blackburn The two are mutually exclusive and should not be related in any way.

Ben Harding

DAVID HOSSACK We expect it will have little impact, at least much less than what is suggested. It is not clear, in fact, how much of a barrier the current unfair dismissal protections pose to employer's ability to recruit new staff, especially with the current period of qualifying service for unfair dismissal being 2 years. Paragraph One of the executive summary of the consultation paper seems contradictory - on the one hand it says the UK has one of the most lightly regulated labour markets in the developed world, yet on the other it says that the fear of being taken to a tribunal is deterring employers from recruiting staff.

Mark Lancaster

Andrew Harrison See above point.

Sally Stone

Nichola Smith

Nicola Mullineux No response provided

Rob Pinniger None. It will simply allow them to unfairly sack people more easily.

Geoff Caesar

Claire Campbell

Will Winch We do not believe that employment law itself prevents employers from recruiting, particularly given that employers now have two years to decide whether an employee is working out before that individual accrues unfair dismissal rights. In the majority of cases, we believe that employers take on workers if they have sufficient work for those people to do. We believe that employers' perception of risk and the challenges faced by the employment tribunal system in dealing with claims effectively create a far greater barrier to recruitment. Time may be better spent reforming the tribunal system and educating and reassuring employers as to their rights and obligations rather than reducing the level of regulation.

Billy Tonner The employers' appetite for recruiting will be driven not by this proposal but by good business sense. Any employer who sees this as an advantage to recruitment is recruiting for the wrong reasons.

Ken Worthing

Martin Fletcher I suspect that it will have no impact at all on the level of recruiting - but it will have a massive impact on the employees when they are recruited.

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Peter Reisdorf

Chris Fox There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans	Perhaps the question should be what impact will allowing individuals ltd protection have on the individuals.
Karen Ordoyno	
Roger Englefield	If the right people are being recruited we would imagine no impact.
David James Port	
Greg Webb	My understanding of the research on this is that the effect of unfair dismissal protection at present is already very limited on hiring; while businesspeople may raise it as a concern, empirically it seems not to have enormous impact on actual observed behaviour. In any case, with rights taking some time to mature, the practical impact on young businesses is negligible; by definition the entire business enjoys protection from such claims during its early operation as no staff can be eligible, while a great many will have already failed before a single employee could gain unfair dismissal (or similar) protections. I question the whole approach of trying to encourage recruitment by reducing employment protections. UK employment protections are already unusually low compared with other developed economies, whose experience does not bear out the assertion that we are being hamstrung by over-regulation.
Peter Hayes	
Richard Sealy	
Robert Carruthers	It will make no difference. The decision to recruit or not is much more dependent on expectations of future business and on other costs e.g. rents
Martin Tod	
Conor McGovern-P	
Simon Dodd	
MR M.H.Faiz	
Martin Pierce	As a micro business owner, it wouldn't have any impact on my desire to recruit. In fact it's less attractive than traditional recruitment because (a) I would make sure in existing situation that I only hire someone I'm totally comfortable with (as a micro business owner I wouldn't be delegating hiring decisions to anyone else), and I still have a probation period to make sure, but (b) I would be EXTREMELY nervous of someone holding a share of my company if there were any sense that they could force me to buy them out at some point
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	Unfair dismissal protections are a fundamental employment right. These should not be reduced in any employment contract. It seems unlikely that the new contracts will be used by ethical employers.
Julie Barclay	
Ross Welland	
CIlr. Nigel Jones	Not very much, since there are already rules about employee rights which limit these to employees who have worked for the company for a certain period of time.
Sharon Bowden	
Rob Pickering	
Gerald Avison	None
Eric Feltn	

Matthew Walsh	It will encourage employers whose practices are likely to meet an unfair dismissal charge. For the rest I doubt it will change anything,
Allan Wakefield	
Graham Shelton	If this were implemented right across British employment law these issues go away.
george roussopoul	
Debbie Bullock	negative. Unless strict rules may be used to the detriment of individual.
David Goodall	
Chris Lucas	NONE
Julian Huppert	
Joan Finch	
Alastair Macpherso	Very little according to the Chartered Institute of Personnel and Develop[ment]
Fiona Bell	Would a company be required to include details in any advertisement for a job or job specification that the position will be as an employee owner?
Deire MacGinley	Don't do it, it's exploitative
E J Stacey	I think there is insufficient reason for a business to offer this. If they want to recruit a key worker they can already offer shares or profit shares or incentives.
Miss Grant	
Keir Fuller	
Gill Phipps	
Janet Abeysondera	It will have no impact at all on recruitment by decent employers
William Jones	no comment
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	recruitment will be a bigger nightmare than it already is when looking for quality skilled and professional staff. Start ups can offer nothing but long hours and adventure with little protection as it is. Share ownership should be an additional ppositive condition of employment to give an incentive to create. Large older companies will already have a reputation good or ill. Limiting unfair protection will not help the bad employer and have a negative impact on the good employer.
Chris Williams	
Thomas Miles	The complexity of the issuing of shares and deciding on the terms that should attach to them, how to value them, etc. may put employers off using this new status and therefore have no impact. Realistically, employers' actual reasons for not recruiting are more likely to be uncertainty over whether they can afford to keep paying an employee's wages rather than a perceived high risk of litigation. Employers now have up to two years to decide whether or not an employee is suitable, or to get rid of them if they can't afford to pay them. That is a long time. I don't think this new status really adds anything to employers' willingness to recruit. It has been said by government that these are most appropriate for "fast-growing" businesses that need a "flexible workforce". Companies already have that flexibility for the first two years of an employee's service. If they think that they need that flexibility beyond that time then flexibility of the workforce probably isn't actually an immediate priority. It also seems more likely that removing employees' rights for unfair dismissal and redundancy pay are more suitable for shrinking businesses or those otherwise in financial difficulty or uncertainty, not fast-growers.
Matthew Lambert	

Simon Banks           None whatsoever. The CBI, CIPD and EOA all see no need for these proposals and there is plenty of flexibility within the existing system. Employers can already dismiss underperforming staff: they just need to do it systematically and fairly.

chri smart

Claire Booker

Robert Heale

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross            I expect it will act as an appetite-whetter but not if extra administration, red tape and potential disputes (e.g. on valuations) may be involved.

Jordan Clough

Nicolette Rattle

Rob Prowse           employees would rather look for a company where they did not give up their employee rights to be employed. So better candidates would not apply.

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell           None, if a business needs and can afford to recruit it will recruit. Remember today a startup business is typically offering new employees full employment rights and share options.

Darren Newman      None whatsoever, since the owner-employee status will be so complicated.

Conor McGovern-P

Gev Pringle

Tracy Connell        It will certainly attract unscrupulous employers in favour of fire at will. A legitimate employer would want the best workforce he can get, not someone employed under the threat of dismissal. The way to get the best out of an employee in an employee share ownership scheme is to also protect his rights, make him feel like he has a genuine stake in the company and can have an impact on it's success, putting all their efforts into that without the fear of being fired with no legal leg to stand on. Employees could share in the success of a company expanding and in rising share dividends as the company succeeds. They would also feel they have more money to spend - this is the main key to growth in the economy - people spending. If an employee fears dismissal at will in his employment he will be less willing to spend any money in the economy and this may create stagnation rather than growth. It's like holding a gun to someone's head to encourage them to work. It's not going to happen.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie	
John Harnedy	
P Edwards	
Melanie Davis	Employers should be choosing the best people for the job - the point of hiring is to create a valuable partnership not an exercise in red tape
Gareth Epps	
Lorna Farrant	
tanya barman	
Ada Benson	
Matthew Swallow	
Tim Chudley	This will undermine the ethos of employee ownership
James Blessing	
Kevin Slevin	
Julia Hines	Recruitment is to posts and need. At the point of recruitment companies try to choose the best candidate and do not consider termination.
Peter Stevens	
karl meyer	employee ownership will incur a cost on the employer. For this to be cost effective the employer will have balanced the cost of the shares against the costs of unfair dismissal indicating that the employer is already considering treating the employee unfairly.
Bob Browning	
David Evans	See above
Charles West	
Allan Boyd	
Andrew Toyne	Depends on the state of the labour market. When there is high unemployment, this kind of policy is a licence to exploit.
Naomi	It will impact business culture negatively. The American's are notorious for their "CYA" (Cover Your Ass) culture whereby decisions always have to be bumped up to a senior for final approval because no American wants the buck to stop with them because businesses don't have to pay employees severance or give them a notice period. When they lose their jobs they lose their medical insurance. This means a blame culture pervades many US businesses and stifles entrepreneurship and leadership within organisations. By contrast in the UK employees are encouraged even when junior to take responsibility for actions and decisions affecting their area of the business.
asdjkl;	
Mark Inskip	
David Ord	None
Suzanne Fletcher	
Richard Fagence	It should be no impact, but my guess is that employers will work very hard to make sure it appears to have an impact on recruitment.
David Becket	Negative
trevor snaith	we need to protect workers rights ahead of employer rights
Lois Norton	
Richard East	

Gareth Epps	Almost certainly negative. The median unfair dismissal claim, according to the Ministry of Justice, is around £5,000; so what good will it do to create a complex scheme to give someone £2,000 of shares? The legal cost of fighting tribunals, small risk that it is, will almost certainly be outweighed by the administrative cost of setting up the share schemes.
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	Employers are more likely to hire more, if they feel more able to fire more easily. However, more hiring is NOT an unconditional good. Reducing unfair dismissal protection gives the British workforce less of a stable base to work from, thereby reducing individual's ability to take personal financial risks, for example in setting up innovative new businesses themselves.
Katharina Draisbac	
Rachel Prince	
Simon Tucker	
Lucy Hodge	
Emma Watts	
Maria Pretzler	
Daniel Henry	
Christopher Pelling	I imagine it would depend on the employer, and the employers most tempted to do so are the ones who should be most discouraged.
Chris Lovell	
Maria Pretzler	
Martin Tod	
Peter Howe	It will have limited impact.
Gavin Greig	
Paul Whittle	
Dr D L Clements	
S. Page	-
Dave Harris	
David Hunt	
Roger Winter	
Sara	
LINDA WILKINSO	
Peter Catterall	
Cllr Richard Smith	
Julia	
Gareth Loveridge	



Sarah Haywood	Most employers we speak to complain the most about wrongful dismissal claims arising from areas such as sex and race discrimination and these are excluded from the scope of the scheme anyway, for our size business, it would be just another hefty dollop of legislation to comply with - again different sets of rules for different employees - what a nightmare! I would prefer to recruit employees under the rules I already know, so I would predict no impact.
Graham Phillips	There should be no impact on a good, well run, employer.
Sheryl Waterhouse	The type of people applying for jobs will be restricted - i.e. certain types of people. Employers would have to spend more time recruiting new people as current employees would leave when they got fed up losing their employment rights, people taken on under exclusively employee-owner contracts will leave if their circumstances change where they need to work flexibly for example.
Nick Barlow	It would no doubt increase their appetite for recruiting gullible people.
David Edwards	None
Candace Kendall	
Sue Bollom	Probably encourage the unscrupulous employers to hire and fire more
qwer	
Tom Roberts	
David Daws	
Peter Shouksmith	
Karen Teago	Business reaction to the proposal so far has not indicated that this will particularly encourage recruitment across the business world. It may appeal to some start-up businesses who rely on rapid growth and future reward as an incentive to build the business - but these types of companies already have opportunities to make shares available to employees to act as an incentive to future performance. The rights the employee-owner gives up are so limited as to make little
Charlotte Puttock	
James Hackett	
Jane Edsell	
Rod Dowler	
Gemma Brown	
Shona McCulloch	
Alan Lewis	
CLIVE B. JOHNSO	
..	
Iolanda Carneiro	
David Jobson	
Rona Miller	nothing
Helga Janzen	
Andrew Harrison	
Yvonne	
Chris Whitmore	
Nzube Ufodike	
Giles Robertson	
Alex Wasyliw	

Anna Dubert

Paul Wild the bad ones will be rubbing their hands...

George Potter The appetite for recruitment might be increased slightly, however, so would the appetite for dismissal. As a result of this, and as a result of employees knowing that they have significantly less rights, job uncertainty and job turnover would increase, there would be no net increase of those employed and consumer confidence and spending would be depressed.

Gemma Roulston

Fiona White The only impact will be in favour of those employers who do not wish to respect employees' rights in the first place.

Mark Widdop None, employees are within the employee employment status, are unable to claim unfair dismissal within the first two years. Employees maybe reluctant to enter into such a contract, which will make the talent pool smaller, this will increase the costs of employment.

Helen Rowe

David Chaplin None whatsoever.

William Jones

Joanne Green This may increase an employers' appetite to recruit because it offers a level of certainty.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart Relatively little because of the breadth of the automatically unfair exemptions. it may even encourage additionally discriminatory practices, because the company will only really benefit by offering these shares to a restricted class (white heterosexual christian males), and thereby increase their problems

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam I don't believe empoloyers are not recruiting staff becasue of fear of unfair dismissal claims. If the xot around share allocation, valuation etc are there this will prove a disincentive tqo hiring staff.

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry I believe the government's belief that unfair dismissal impacting employer's willingness to recruit is clouded by political ideology and not fact. Reality remains the unemployment in the UK, at its peak, remained lower than the US. This indicates where most states have right to work laws, that unfair dismissal did not hamper an employer's ability to recruit. In addition, I feel, equity shares may discourage employer from using them due to the cost and the fear employees may not be willing to give up employment rights, especially if the shares are limited. My feeling for shares to be tempting for an employee they will need to be high enough to entice them and must exceed any claim that they could get at tribunal. Without it, I feel, many people will be reluctant to work for a company offering the shares.

Professor Deborah	
john murphy	
Carol Tricks	
Steve Parfett	Not applicable given above comments
Tracy Connell	
Jon Robinson	
Doug Shaw	
jeremy tobias-tarsh	
Fiona Aldridge	
simon garbett	
Belinda McIntosh	
Robert Edwards	I don't think it will make much impact, especially for smaller businesses where the current ownership structure is 100% owner/manager.
anita monteith	
Kevin Aggett	
Tim Lloyd	
Fiona Bell	
Anon	Probably very little. Businesses recruit people to do specific work, and those which do it well have sufficiently good planning processes in place to realise what kinds of people they require to do that work, and for how long (etc.). I can't imagine any decent business would say to itself 'ooh, let's hire a shed load more people shall we just because none of them will be able to claim unfair dismissal if it turns out we have to get rid of them - recruitment mania wool!'
Roger Chater	Nil
Craig Edmondson	
Dale Sinclair	
Niki Rosenbaum	None at all- it is not legislation restricting recruitment but the Govt approach and slump.
Neil Jones	
Graeme Dickson	Employers may see this as a solution but given the costs / control issues arising from employees owning shares the advantages may not be great. This may turn out to be a clever idea which practically does not achieve much.
Daniel Sear	
Della Thomas	
Chris Devine	
J Mackenzie	
Matthew Bleasdale	None if not negative. Unfair dismissal isn't a significant concern for any reasonable employer (the vast majority) as no-one is hired with the intent of dismissing them. The issue of equity to an employee is a negative incentive, it increases the capital at risk.
Flora Jafarzade	

# Employee owner online consultation

## Question 8

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- Catherine Shepherd For companies, much will depend on how "simple" the employee owner status is for companies to operate in practice and how vulnerable it is to dispute.
- David Erdal None that matter. They will be more able to behave irresponsibly.
- David Hole
- Bruce Hanton The Government should be aware of a group who will benefit hugely from these proposals: management teams in buy-outs. Typically they would invest between £20,000 and £100,000 for ordinary shares. These would have that value at that stage and be heavily leveraged by bank and institutional debt in the venture. So if the company does reasonably well these shares will increase hugely in value. For a transaction where the private equity house made a return of 2.5 times its money (a good but not spectacular return) the manager in this example would have shares worth perhaps £1 million. And that amount will increase exponentially as the private equity house return increases. Managers in this position used to think that taper relief taking cg t down to 10 per cent was incredibly generous. They now think entrepreneur's relief is pretty nice. Neither made a blind bit of difference to whether they invested or how much. This proposal will give them a tax free return on most of their investment. These are people for whom the loss of unfair dismissal rights is irrelevant (what matters to them is the notice period under their contract and - to an extent - that they do not lose their anti-discrimination rights). In any event the proposal seems to be that the parties can in any event agree to the tax benefits whilst retaining the employment rights. So when a house hold name in private equity ownership is sold at a huge profit (perhaps helped by work-force rationalisation), the headlines will be about how the fatcat managers are paying no tax on their windfall gains. Not 10 per cent, not 28 per cent. Nothing.
- Phil Bagnall
- Mary Leeds
- Brian Ronald
- Indie Kaur
- Carl Nichols
- Roland Bell None - I expect employee's that would of claimed unfair dismissal to now claim discrimination, a much harder case to disprove.
- Jamie Rowe various studies have shown that when workers have a stake in their work lives, that those business generally have better productivity, lower staff turnover etc
- Daran Brown None, in fact it will make things worse.
- Steve Collington More revenue in the short-term.
- Rachel Evans The government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have.
- Merrie Mannassi Not enough to go through the hassle.
- Jonathan Holden
- Rob Hill
- David Eastham None. It is an illusion
- Martin Ward No comment.
- Prateek Buch
- C Austen

Cornelia East

Laurence Ross      There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Laura Josh

Laura Josh

Tracy Winter      Employees will have a personal stake in the company and therefore they should be more motivated by this.

Andrew OCallaghan

Mark Blackburn      Totally immoral and would be bad for company morale - staff would feel 'bought off'

Ben Harding

DAVID HOSSACK      There may be benefit for start up companies where all employees are employed on this basis but it is considered unlikely that there would be benefits for companies where there is a mix of employee categories.

Mark Lancaster

Andrew Harrison      It will allow companies to remove staff with relative ease. All of the risk is with the employee - you give away your employment rights with no guarantee that when you leave the company will have funds to buy back the shares you received.

Sally Stone      I'm sure it will have plenty of benefits for companies - what about the employees?!

Nichola Smith

Nicola Mullineux      No response provided

Rob Pinniger      It will simply allow them to unfairly sack people more easily.

Geoff Caesar

Claire Campbell

Will Winch      While superficially beneficial, we believe that in the long term, the new status could have a detrimental effect on business. Firstly, the fact that the qualifying period for unfair dismissal has risen to two years should mean that employers will have ample time to decide if their employees are underperforming. Therefore, they may not need to give employees £2,000 worth of shares, risk satellite disputes, set up complicated administrative procedures and commission valuations in order to avoid the risk of unfair dismissal claims. Secondly, if the employer thinks that it does not have to act fairly in relation to its employees, this will create uncertainty in the labour market. People will be more fearful of losing their jobs and, consequently, less productive and less likely to spend money in the economy if they are saving money against the possibility of losing their jobs. It would also therefore reduce employee engagement in the business, notwithstanding a nominal link between the value of the shareholding and the value of the business. We do not believe that the potential increase in value to a £2,000 shareholding would be sufficient to outweigh the negative effect of the lack of employment protection. Thirdly, if an employer fails to follow fair procedures, it is far more likely that employees will be better equipped to bring claims for unlawful discrimination: in the absence of documentation pointing to a fair, objective reason for the dismissal and a fair procedure, the employee will have a much stronger argument that their protected characteristic contributed to that dismissal. Fourthly, we are not convinced that encouraging businesses to effectively self insure against unfair dismissal is efficient. An employer should not be faced with an unfair dismissal claim if they follow a fair procedure and have a fair reason for the dismissal. These are not onerous obligations. Even if an employee does bring a claim and the claim is successful, the median award for such a claim is low: last year, £4,560. Using the self-insuring analogy - if a business gives £2,000 worth of shares to each employee, they are essentially assuming that every second employee will sue them. Otherwise, the insurance is not cost effective. Fifthly, the effect of TUPE may mean that it could make the process of selling or buying a business harder for employers of employee owners. The position of an employee owner is different from a share option holder, as their shareholding rights are more closely linked to their employment rights and could therefore be seen to pass under TUPE. They would need to be given equivalent rights in the new firm. Would that entitlement be equivalent to the starting stake they had in the previous business, or the equivalent monetary value on exit? This question should be resolved before the policy is introduced to avoid significant litigation arising from uncertainty.

Billy Tonner                   None. In fact I predict the opposite. As soon as employers begin to show their true colours under this proposal there will be a raft of unhappy and disenchanting ex-employees who will become the seedbed of disaffection with the law in the same way as the Poll Tax became discredited, so too will this pernicious little ploy.

Ken Worthing

Martin Fletcher               The lower the moral integrity of the company the greater the benefit.

.

Peter Reisdorf

Chris Fox                       There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans                     It will give them more power over their workers and enable them to get more for less. I don't think that is in fact a benefit to anyone wanting to run an ethical business.

Karen Ordoyno

Roger Englefield              If the right people are being recruited we would imagine no impact.

David James Portmo

Greg Webb                     In all honesty - relatively limited. Creating extra shareholders is not without administrative burdens and costs in itself, quite aside from the issue of dilution of ownership that it entails. For the young businesses that provide the bulk of our economic growth it's trading a right that can't yet be exercised for an outcome with ongoing costs and complications starting immediately. Frankly it seems to be an expensive way for the company of allaying the fear of problems with problem employees that aren't empirically supported.

Peter Hayes

Richard Sealy

Robert Carruthers            It will make it easier to dismiss underperforming workers.

Martin Tod

Conor McGovern-Pa

Simon Dodd

MR M.H.Faiz

Martin Pierce                 I don't think there are any on a net basis - the downsides of the complications of the share issue more than outweigh any potential gain from being able to dismiss an employee more easily.

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks                It seems unlikely that the new contracts will be used by ethical employers.

Julie Barclay

Ross Welland

Cllr. Nigel Jones THE BENEFITS WILL ONLY HAVE ANY SIGNIFICANT EFFECT IF EMPLOYEES KEEP THEIR FULL EMPLOYMENT RIGHTS. Employees will only feel committed if they are treated fully as of right; commitment from employees should be matched by commitment from employer.

Sharon Bowden

Rob Pickering

Gerald Avison It will be demonstrated to be unmanageable.

Eric Felton

Matthew Walsh None - it will break down trust in the relationship.

Allan Wakefield

Graham Shelton This specific proposal is crazy, but the benefits of giving employees a stake in the business are already clear. We do it through an AESOP and also we are about to embark on an approved share option scheme. This business is therefore 'our' business not mine. Every member is a shareholder and every member receives dividends and increase in share value. It's the way of the future.

george roussopoulos

Debbie Bullock none for a reputable company.

David Goodall

Chris Lucas Loads of benefits, all at the expense of the employee.

Julian Huppert

Joan Finch

Alastair Macpherson Very Limited

Fiona Bell Perhaps the benefit is limited as companies do not engage employees expecting to dismiss them. In any event, would the company remain at risk for breach of contract or wrongful dismissal claims on a dismissal.

Deire MacGinley Don't do it, it's exploitative

E J Stacey The unfair dismissal protection still available is too wide - any employee could find a reason to use one of the exempted categories.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeysondera None for decent employers

William Jones This already exists for all employees anyway for all companies for 1 year. Any addition, for all time, employment status is unnecessary. If anything the threshold should be raised to 18 months for start up companies only.

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart	None A good employer can always dismiss a bad employee on good evidence that will hold up in tribunal. this will allow bad employers and bad individuals in good companys to act unlawfully with impunity THis will create a reducing morale and productivity amongst the workforce even further rather than enhancing the attitude of the workforce by the distribution of shares
Chris Williams	
Thomas Miles	Very limited in real terms. This adds very little in the first two years of employment, since such employees already have no unfair dismissal or redundancy pay rights. Indeed, many companies offer enhanced redundancy packages over and above statutory minimum, suggesting that reducing employees' rights is very much the opposite of their agenda. In addition, it may simply lead to employees making some form of discrimination claim instead, which can be more complex, costly to defend and ultimately more risky (with the scare factor of unlimited compensation awards) for the employer. When the government suggests the perception of the likelihood of tribunal action is putting employers off recruiting, it seems to have missed the point that the biggest fears are surrounding the no-cap discrimination claims, not the straightforward dismissals or redundancy. Employers now have two years to get rid of "lazy" employees. Those who are off on long-term sick immediately pose a risk of disability discrimination, which this proposal does nothing to assist with.
Matthew Lambert	
Simon Banks	The only benefits - in possibly increased commitment to the company's success - will be ones that could be achieved by encouraging employee share ownership without deleting employee rights.Indeed, an atmosphere in which employees feel insecure about their jobs carries far more disbenefits than benefits for the business, as behaviour will be excessively dominated by short-term fears and the healthy ability to question managers' ideas will be suppressed.
chri smart	
Claire Booker	
Robert Heale	NONE, just more employee uncertainty and insecurity
Trevor	They would be able to take advantage of the workforce with little consequence
Ash Dorey	
Rory Roberson	
Louise Farrell	
Glenn Andrews	
Bev Cross	If it results in increased employee productivity and loyalty then these would clearly be beneficial. But the question remains - who will be paying for these shares on issue? And what if the company does not have the funds to make a repayment on buy-back - especially on a dismissal? I would foresee unenlightened employers using it as an excuse to dismiss employees for spurious reasons or to use unfair dismissal procedures. On the other hand if dismissing the employee means buying back her/his shares, this may prove an expensive deterrent to unfair dismissals or even any dismissals.
Jordan Clough	
Nicolette Rattle	
Rob Prowse	None
Elaine Woodard	
m taylor	
James Moore	
David Poole	
Roland Bell	None
Darren Newman	Large companies will be free to recruit employees on a contract which for a limited financial inducement will allow them to treat employees unfairly when it comes to dismissal.



Conor McGovern-Pa

Gev Pringle

Tracy Connell Benefits? For unscrupulous companies, fire at will over the term of employment. However, in the early stages of a company it will be of no benefit as current the unfair dismissal rights do not kick in until the employee had been there for over one year (not two years as your document states, see this document: [http://www.adviceguide.org.uk/england/work\\_e/work\\_rights\\_at\\_work\\_e/basic\\_rights\\_at\\_work.htm#Rights\\_at\\_work](http://www.adviceguide.org.uk/england/work_e/work_rights_at_work_e/basic_rights_at_work.htm#Rights_at_work) ). Therefore why would your target of new start up be advantaged in someone giving up their right to unfair dismissal since it does not apply within the first year of employment anyway - which give the company ample time to scrutinise the quality of their employee.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis No benefits whatsoever

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley This will undermine the ethos of employee ownership

James Blessing

Kevin Slevin

Julia Hines None

Peter Stevens

karl meyer

Bob Browning

David Evans None

Charles West

Allan Boyd

Andrew Toye None other than a licence to exploit (see answer to Q 11)

Naomi I don't think there will be sufficient benefits to outweigh the long term negatives (internal and externalities).

asdjkl;

Mark Inskip

David Ord           None

Suzanne Fletcher

Richard Fagence   Employee loyalty and lower recruitment costs as a result.

David Becket       None. The CBI, the Employee Ownership Association, TUC and others agree with me

trevor snaith       We need to enhance employee rights and job protection

Lois Norton

Richard East

Gareth Epps       The only attraction will be for companies who will use it as a tax avoidance measure; who, in effect, will use it to make tax efficiencies in their remuneration packages. City workers, for example - where high salaries will make the unfair dismissal claim cap unattractive in any case, and who will pay higher rates of income tax and CGT - are one of the few groups of people who will see any benefits. In other words - only bankers will benefit. The nature of discrimination claims (particularly in terms of indirect or invisible discrimination) is such that smaller companies will find themselves having more need for dismissal procedures in order to minimise the risk of such claims. Or from the point of view of good employers who engage their employees and want to encourage long-termism, in the words of Mr John Timpson of Timpsons:- "Share ownership doesn't in itself create a more committed workforce. In many small businesses, like ours, it is much better to award a significant bonus based on profits than create the complications that come with issuing equity. ... The second myth is that employment legislation gets in the way of good business. Why should anyone want to give up their employment rights? The law only covers things that a reasonable boss would take for granted"

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom       The above is not a valid English sentence.

Katharina Draisbach

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling   No idea.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe       It is likely to become the default employment contract for high risk start-ups because these offer shares to employees anyway, to minimise the costs associated with bankruptcy,

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page Less ethical companies will be more likely to make unfair dismissals.

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSON

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood Large businesses with personnel depts and good tax advisors may find cost effective ways to make the scheme work, the only employees likely to benefit are senior staff who can gain tax advantage from the share scheme.

Graham Phillips None, for a good, well run, employer.

Sheryl Waterhouse Unscrupulous employers will be able to benefit financially from lower unfair dismissal payouts but this is certainly not a positive outcome.

Nick Barlow Many for unscrupulous companies, especially if they're then allowed to declare shares 'forfeit' and buy them back at a reduced value. This seems like nothing more than a device to encourage poor employers to take advantage of their employees.

David Edwards Negative - I do not plan to offer it.

Candace Kendall

Sue Bollom None

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago The rights the employee-owner gives up are so limited as to make little difference, but some companies may feel comforted by the fact that these rights are not ones they need worry about in their dealings with employee-owners. My serious concern is that businesses will not appreciate the distinction between "ordinary" and "automatically" unfair dismissals and will expose themselves to claims in cases where they thought they were immune.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO

Iolanda Carneiro

David Jobson

Rona Miller nothing

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild they will be seen in a bad light

George Potter It will have no long term benefits as any benefits due to the removed obligation to make redundancy pay will be fully offset by the reduced productivity and company loyalty generated by employees knowing that they could potentially lose their job at any time.

Gemma Roulston

Fiona White None

Mark Widdop None, employees are within the employee employment status, are unable to claim unfair dismissal within the first two years. Companies where the share price is difficult to define, and in the case of small start ups, "fluid", the system may be manipulatable by the company to inflate a share price on entry to the company and minimise this on exit. This creates a potential lucrative loophole of hire at high share price, fire at low share price, with the individual employee loosing out, whilst the company will gain. This will also allow taxation to be avoided by entering into these contracts and simply returning the legal rights back into a contract of employment

Helen Rowe

David Chaplin None whatsoever.

William Jones

Joanne Green It will encourage companies to undertake data cleansing, consequently this will assist their knowledge of their employee profiles. The benefit of these is that will reveal whether there are any equality and diversity discrepancies within their organisation.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart None, see above.

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam None.

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry I think it can damage a SME business and may make recruiting difficult for them. As an employee if I was given £2,000 in equity shares in exchange for giving up employments rights along with giving up my right to request time off to train, I would turn it down in favour of keeping employment rights. However, for a larger global company that is publicly traded then I feel it might be something that could help in recruiting an employee if the amount being offered was acceptable.

xx

Professor Deborah L

john murphy

Carol Tricks

Steve Parfett None - see above

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards It gives a degree more flexibility, but as with all contentious dismissal cases, irrespective of the real reason for dismissal, employees will rely on disuptable claims for their dismissal being related to protected characteristics in order to maximise the gain from their exit.

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon Businesses will be able to get rid of more people more easily, and for unfair reasons. They will be less likely to have to face the consequence of their actions since they will be incentivised to treat their workers in a worse manner than they currently do.

Roger Chater Unscrupulous companies may see it as a way of cheaply abusing their staff.

Craig Edmondson

Dale Sinclair

Niki Rosenbaum None- owners will be mistrustful and wary of handing over any share of their business to new, unknown employees.

Neil Jones

Graeme Dickson      Considering all aspects, little benefit. It just moves UD battles from the Tribunal to ones in the courts on the value / payment of shares etc.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale      Very few if any, unless there is a reservation of voting rights in which case there will be a lower risk profile due to improved communciation of risk throughout the organisation

Flora Jafarzade

# Employee owner online consultation

## Question 9

d

Catherine Shepher	We do not feel we are able to respond to this question without further details as to how the Government intends to implement its proposals.
David Erdal	None.
David Hole	
Bruce Hanton	
Phil Bagnall	
Mary Leeds	
Brian Ronald	
Indie Kaur	
Carl Nichols	
Roland Bell	I see no benefits and no benefits are listed in any of the consultation documents.
Jamie Rowe	no idea
Daran Brown	No difference
Steve Collington	Larger for larger.
Rachel Evans	
Merrie Mannassi	Larger publically quoted companies then the valuation does not become an issue nor giving up the shares.
Jonathan Holden	
Rob Hill	
David Eastham	I would have thought it would have more interest for larger organisations, whose management teams have an ideological belief that employment rights are negative cost on the business. Smaller operations, other than some family owned and operated enterprise
Martin Ward	No comment.
Prateek Buch	
C Austen	
Cornelia East	
Laurence Ross	There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the emplo
Laura Josh	
Laura Josh	
Tracy Winter	Depends very much on the businesses
Andrew OCallagha	
Mark Blackburn	There should not be 'conditional' benefits for any size company

Ben Harding

DAVID HOSSACK For reasons stated in Question 8 for smaller companies.

Mark Lancaster

Andrew Harrison I struggle to see this as a benefit.

Sally Stone

Nichola Smith

Nicola Mullineux No response provided

Rob Pinniger Large businesses. The sort that give money to politicians.

Geoff Caesar

Claire Campbell

Will Winch We think that the benefits of the employer owner status will be greater for larger, publicly listed companies (primarily in the IT and financial services industries), used to dealing with employee share schemes. The proposal will create a significant adm

Billy Tonner These " benefits" will only benefit fly-by-night operators who will see it as a golden opportunity for short term employment strategies leading to them folding up the companies leaving big tax bills unpaid and ex-employees having to rely on the taxpayer f

Ken Worthing

Martin Fletcher I suspect that lack of integrity is spread equally among the sectors

.

Peter Reisdorf

Chris Fox They could present an exciting opportunity for highly skilled members of start-up businesses. Outside of that very limited environment it would seem only to benefit employers.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans Greater for large businesses.

Karen Ordoyno

Roger Englefield I would have thought for larger businesses the benefits would be greater.

David James Port

Greg Webb For start-up businesses, as I've said, I think the plan will be a cost rather than a benefit; it trades a right which can't be exercised while the company remains a start-up (on simple grounds of time) for one that requires extra work now and which then c

Peter Hayes

Richard Sealy

Robert Carruthers In theory, all would benefit, but in practice, only large companies have shares that can actually be valued in the sense that they are potentially saleable, so smaller companies are not likely to persuade employees that the rewards of share ownership are

Martin Tod

Conor McGovern-P

Simon Dodd



MR M.H.Faiz

Martin Pierce I don't think there are any net benefits - and I don't think it makes any difference what sort of business you are.

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks It seems unlikely that the new contracts will be used by ethical employers, irrespective of their size.

Julie Barclay

Ross Welland

Cllr. Nigel Jones

Sharon Bowden

Rob Pickering

Gerald Avison Impossible for all categories.

Eric Feltn

Matthew Walsh Short term gains will be perceived by start ups and small companies but these will soon be diminished by a lack of dedicated workforce. For large companies it will simply be another large administrative task that goes with employing staff.

Allan Wakefield

Graham Shelton Greater

george roussopoul Big companies will benefit, not small ones, and they do not need this measure.

Debbie Bullock do not believe there are benefits

David Goodall

Chris Lucas All will benefit.

Julian Huppert

Joan Finch

Alastair Macpherso The benefits are likely to be greatest for larger financial services businesses where claims for unfair dismissal result in very high sums

Fiona Bell On a start up the employee owner status might parallel the position of a partner in terms of rights and therefore be considered, subject to the implementation costs, eg the costs of set up and the costs of providing status advice to employee owners. T

Deire MacGinley Don't do it, it's exploitative

E J Stacey Larger firms will have the resources to cope with the admin burden - but most big firms already offer SAYE or similar management share schemes.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeysondera Greater for employers who want to squeeze every last penny out for themselves and consider exploitation of employees to be fair

William Jones            They would be greater for large companies. But large companies should have to abide by full rules. Any relaxation in full employment rights should be for start up companies only.

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart            no benefits for any one   its all negative

Chris Williams

Thomas Miles            Shares in larger businesses will be perceived by employees to be of greater value, so probably I would say it will benefit them most (although as I point out above, many larger businesses actually provide enhanced benefits in order to attract the best tal

Matthew Lambert

Simon Banks            Since there are no benefits, the question does not apply. The disbenefits could be less for start-ups as existing workers would not be under pressure to comply - and such pressure is entirely likely in the real world.

chri smart

Claire Booker

Robert Heale

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross                Start-ups and small businesses could well find the extra cash useful. I would imagine that larger white-collar businesses employing well-paid and highly qualified staff will use it more than than small blue-collar concerns employing primarily low-paid

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell             These benefits will be greater for the investors in businesses being wound-up. In these cases it is in the interests of the investors to dismiss all employee owners and then wind the company up, thereby ensuring the maximum amount of monies recoverable to

Darren Newman        Larger companies will benefit most as they will have the resources to issue meaningless shares with a nominal value within the given range.

Conor McGovern-P

Gev Pringle

Tracy Connell	I don't see how start-ups would benefit. Employee rights don't kick in until after a year of employment so the trade off on workers rights would not be beneficial to the company at all. Also, how would a startup have their shares valued fairly if they hav
Paul Clarke	
Gary McKenna	
Robert Hutchison	
John Ball	
Steve Comer	
Freya Copley-Mills	
cynthia james	
Laura Binnie	
John Harnedy	
P Edwards	
Melanie Davis	As above
Gareth Epps	
Lorna Farrant	
tanya barman	
Ada Benson	
Matthew Swallow	
Tim Chudley	Any benefits will be far outweighed by the negative aspects of this idea.
James Blessing	
Kevin Slevin	
Julia Hines	I do not believe there will be any benefits. There is no evidence that there would be. There may be difficulties in running shareholder meetings with large numbers of shareholders. There may be tax avoidance benefits for founders of companies which beco
Peter Stevens	
karl meyer	
Bob Browning	
David Evans	None
Charles West	
Allan Boyd	
Andrew Toyne	If your partners own most of the business they can do things you don't like; if they only own a small fraction the benefits are fractional - so the trade-off with employment right would be unfair
Naomi	Greatest for start ups but I don't think there will be benefits.
asdjkl;	
Mark Inskip	
David Ord	Larger ones as they are more likely to have a cavalier attitude to workers rights
Suzanne Fletcher	

Richard Fagence	Benefits should be the same - irrespective of company size.
David Becket	No Benefits
trevor snaith	no differnsne -- all bad news if it happens
Lois Norton	
Richard East	
Gareth Epps	Smaller and start-up businesses will find the legal complexity and risk of this set-up a disincentive.
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	Clearly larger businesses will benefit the most, if at all. Start-up businesses already work this way in all but name, while having less potential long-term share value.
Katharina Draisbac	
Rachel Prince	
Simon Tucker	
Lucy Hodge	
Emma Watts	
Maria Pretzler	
Daniel Henry	
Christopher Pelling	Presumably start-up, unless the whole idea is even batter than I think
Chris Lovell	
Maria Pretzler	
Martin Tod	
Peter Howe	Most significant for big businesses, because they will be able to trade a very small amount of their share capital in exchange for employment rights.
Gavin Greig	
Paul Whittle	
Dr D L Clements	
S. Page	-
Dave Harris	
David Hunt	
Roger Winter	
Sara	
LINDA WILKINSO	
Peter Catterall	
Cllr Richard Smith	
Julia	

Gareth Loveridge	
Sarah Haywood	No benefits for small/medium co's, for large co's see above.
Graham Phillips	I am unconvinced that there will be benefits for a good, well run, business.
Sheryl Waterhouse	All unscrupulous businesses will benefit from this.
Nick Barlow	It could affect them all in different ways, the question is too vague to allow an accurate answer. Again, it also leaves out the question of whether these 'benefits' would be good for employees of these businesses.
David Edwards	Larger businesses will abuse the rules to limit workers rights. This legalisation has no benefits for startup companies.
Candace Kendall	
Sue Bollom	Don't know
qwer	
Tom Roberts	
David Daws	
Peter Shouksmith	
Karen Teago	Businesses who have the time and resources to fully understand the implications of operating employee ownership schemes may benefit. These are likely to be larger businesses.
Charlotte Puttock	
James Hackett	
Jane Edsell	
Rod Dowler	
Gemma Brown	
Shona McCulloch	
Alan Lewis	
CLIVE B. JOHNSO	
..	
Iolanda Carneiro	
David Jobson	
Rona Miller	larger companies who can afford this are the only people likely to benefit. Most start up compnaies do not ahve shares or would not wnat shares to be given out
Helga Janzen	
Andrew Harrison	
Yvonne	
Chris Whitmore	
Nzube Ufodike	Start up
Giles Robertson	
Alex Wasyliw	
Anna Dubert	

Paul Wild	Slaps forehead...they will benefit all of the above as any form of employer rights are anti business...just like the right not to be enslaved
George Potter	They will be greater for larger, well-established businesses as they are the only ones likely to have shareholders in the first place.
Gemma Roulston	
Fiona White	I don't think there will be any
Mark Widdop	
Helen Rowe	
David Chaplin	They will be of most advantage to businessmen seeking to set up non trading companies of which they are employee owners so they can take advantage of CGT savings.
William Jones	
Joanne Green	Larger initially unless it is offered to all businesses from the outset.
Paul Clarke	
Andrea Jones	
Lola Kiss	
Simon Charters	
Nicholas D Hart	Only larger stable businesses are likely to be able to manipulate the rules, and swallow the costs, to make this work
J. Janus	
peter hough	
David Winton	
Pauline Wilkes	
Aaron Hussey	
Derek Scott	
Alexandra MvAdam	For none.
Fiona Reid	
Alexandra McAdam	
Graeme Taylor	
Brian Berry	I think the benefits will be more for a large company than a SME or start up. My own feeling, shares would be a discouragement for start-ups especially.
xx	
Professor Deborah	
john murphy	
Carol Tricks	
Steve Parfett	If at all only for start ups unless abused to limit legitimate rights
Tracy Connell	
Jon Robinson	
Doug Shaw	

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards For start ups and rapidly growing businesses in some sectors I can see a value, but it depends on the mechanism for monetising the employees shareholding.

anita monteith

Kevin Aggett

Tim Lloyd All business should benefit: smaller businesses by offering a more competitive package, larger business through reducing churn of staff numbers

Fiona Bell

Anon All. I cannot imagine why only small and start-up businesses would take this new status up and offer it to new recruits.

Roger Chater Hard to see any genuine benefits for any.

Craig Edmondson

Dale Sinclair

Niki Rosenbaum Impossible to introduce in start up businesses as shares have no value as yet. Larger organisations will issue shares worth a fraction of a percentage point of the overall value of the organisation, so may benefit unless employees band together to affect

Neil Jones

Graeme Dickson True Employee owners will gain but they could always do so under a share scheme. This is a new idea with the primary aim to remove employee rights with little payback. It allows employers to act unfairly and provided they do not do so for a protected reas

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale larger

Flora Jafarzade

# Employee owner online consultation

## Question 10

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Catherine Shepherd Please see our response to Q 11 above. We are also concerned as to the impact of the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE"). Under current proposals (and indeed, we assume in order to accord with the requirements of the Acquired Rights Directive) an employee-owner will be an employee for the purposes of TUPE. Consequently, if he or she is engaged in a business or service which is transferred under TUPE to a new owner or provider, his or her employment will transfer across on existing terms and conditions. Questions arise as to what will happen to the employees shares in these circumstances and whether or not any waiver of their statutory rights given at the commencement of their employment can legally be relied on by their new employer.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell Increase.

Jamie Rowe not much at all

Daran Brown Not sure

Steve Collington None. That won't magically disappear.

Rachel Evans e government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have.

Merrie Mannassi Probably none

Jonathan Holden

Rob Hill

David Eastham None at all.

Martin Ward There will clearly be a tendency for discrimination claims to increase in number and proportion, exaggerating an existing trend.

Prateek Buch

C Austen

Cornelia East

Laurence Ross If rights are diminished, it will have a terrible impact.

Laura Josh

Laura Josh



Tracy Winter If it is not possible to claim unfair dismissal, then they would naturally look for an alternative and it is likely that the discrimination claims may go up. The impact on tribunal claims for unfair dismissal is likely to be more affected by the extension of the qualification period from one to two years however it remains to be seen how big a take up of this employee owner status will be by employers.

Andrew OCallaghan

Mark Blackburn Very worrying that financial implications could obstruct basic employee rights

Ben Harding

DAVID HOSSACK We think there is a risk that there could be an increase in claims which would previously have come under the heading of unfair dismissal being brought as another type of claim, such as a discrimination claim. This would complicate matters for employees and increase the administrative and potentially financial burden on employers in entering into such arrangements with employees.

Mark Lancaster

Andrew Harrison

Sally Stone

Nichola Smith

Nicola Mullineux Discrimination and automatically unfair claims will be likely to increase as these will be the only avenues for owner employees to gain any redress for treatment at the hands of their employer that is unfair. The introduction of employee owner status will not have a large effect on bringing down the number of claims that employment judges will have to sift through, which is the government's intention from this move.

Rob Pinniger There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Geoff Caesar

Claire Campbell

Will Winch We believe that employees who are unable to claim for unfair dismissal or a statutory redundancy payment may be more likely to bring claims for discrimination or whistleblowing. As such, they may find themselves in a stronger position if the employer has failed to follow a fair procedure or is unable to provide objective, coherent reasons for dismissal (see our answer to question 12 above)

Billy Tonner So you are on the ball with this one. Of course there will be a rise in applications to tribunals using what little access rights are left after you remove most of them with this proposal. No doubt you'll be thinking that you should add discrimination to the list of rights to be removed from employees to cover this very eventuality. There will also be an increase in County and High Court applications for breaches of contract as lawyers, trade unions and other interested practitioners seek ways around this.

Ken Worthing

Martin Fletcher There will be fewer claims, as it will be harder to demonstrate discrimination if an employer is able to sack at will. Indeed, when sacking a woman because she has become pregnant an employer could also sack a man as a demonstration of equality. Again the EQIA is superficial and flawed in not addressing this.

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Peter Reisdorf

Chris Fox There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans	Don't know.
Karen Ordoyno	
Roger Englefield	Providing the rules are clear when the new contract is offered, I think it would have minimal effect on employment tribunal claims.
David James Portmo	
Greg Webb	
Peter Hayes	
Richard Sealy	
Robert Carruthers	It should not affect this, since these should be covered by "automatically unfair" dismissal.
Martin Tod	
Conor McGovern-Pa	
Simon Dodd	
MR M.H.Faiz	
Martin Pierce	I understood that even under the proposals, you could not dismiss someone where legal discrimination (e.g. on the basis of race, gender, disability or age) had taken place - so it shouldn't make any difference. Except that if people feel they have been unfairly treated but no longer have their traditional unfair dismissal rights in place, they may feel more inclined to bring discrimination cases - which would be just as much of an issue for a business as defending against traditional unfair dismissal
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	The Employee Owner contracts prevent employees taking action for unfair dismissal. These rights should not be reduced in any employment contract. Individuals on Employee-Owner contracts will retain the right to take a discrimination claim to the employment tribunal. These claims are time consuming and difficult to pursue and are not a satisfactory alternative to an unfair dismissal claim. The Government is planning to introduce substantial fees to take a pregnancy discrimination case to the employment tribunal. Individuals on Employee Owner contracts will have substantially reduced access to the employment tribunal to remedy unfair treatment from their employer.
Julie Barclay	
Ross Welland	
Cllr. Nigel Jones	
Sharon Bowden	
Rob Pickering	
Gerald Avison	The Lawyers will love it.
Eric Feltin	
Matthew Walsh	It'll complicate the process even further.
Allan Wakefield	
Graham Shelton	Hopefully this entire system can be simplified and made less of a gray train for lawyers and dud staff.

george roussopoulo

Debbie Bullock increased work load.

David Goodall

Chris Lucas No impact, because if the protections currently available are removed there will be fewer employment tribunals.

Julian Huppert

Joan Finch

Alastair Macpherson

Fiona Bell I do not have personal experience of such claims.

Deire MacGinley Don't do it, it's exploitative

E J Stacey It will increase claims in those areas that are exempt.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeysundera A very detrimental impact - and people will be forced to take their cases to higher level, more costly and time consuming processes which will probably be legal aid funded - the implications in respect of breaches to peoples' human rights are enormous - has anyone considered that? If an employer dismisses an employee for some alleged misdemeanour but only limited evidence - that can be disputed in court by the employee and not just tribunal - libel; slander; defamation of character - a long list of possible cases.

William Jones In the first year of employment no impact. But if kept it will make hiring and firing less problematic.

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart little if any

Chris Williams

Thomas Miles There is an obvious risk (or dare I say, inevitability) of complex and costly discrimination claims increasing instead of the more straightforward and lower-risk unfair dismissal claims that employers would otherwise face. Employees will still feel aggrieved when dismissed, and still have bills to pay, so will still try to seek compensation when they are dismissed. If that is impossible through unfair dismissal, they will be left with pursuing discrimination claims.

Matthew Lambert

Simon Banks In principle, I must assume that the abandonment of rights would not affect protection under equality law, but anything which fast-tracked dismissals and allowed dismissal with less recording of supposed reasons would weaken the case of complainants and make it easier to get away with discrimination.

chri smart

Claire Booker

Robert Heale

Trevor I assume this would mean less cases as the government wants

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross                    There is an element of indirect discrimination built into the scheme. Employees who cannot afford to buy the shares may be disproportionately represented amongst people from minority ethnic groups, people with disabilities, young workers and possibly part-time workers on low incomes (the majority of whom are women).

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell                    Increase, as proving non-discrimination is difficult and time consuming.

Darren Newman                Depending on how the valuation of shares is to be decided and the impact that that has on the status of the employee I would doubt it will have an overall impact. It may lead however to an increased level of litigation on the valuation of shares.

Conor McGovern-Pa

Gev Pringle

Tracy Connell                    Will employees have the right to take their employee to a tribunal over discrimination as an employee owner? Obviously the cases put to employment tribunals will decrease since workers will have no rights unless they come under the automatic unfair dismissal list.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball                        Unfortunately it is bound to weaken the employee's position, and for that reason I believe the scheme is a bad move.

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis                    It will increase the number of discrimination claims; if a company refuses to hire me or renew my contract because I will not give up my right to request flexible working, I will feel able to sue on the grounds of gender discrimination because many more women than men need access to flexible working.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson	
Matthew Swallow	
Tim Chudley	More red tape
James Blessing	
Kevin Slevin	
Julia Hines	There will be increased focus on these issues.
Peter Stevens	
karl meyer	
Bob Browning	
David Evans	The law of unintended consequences means they will be substantial
Charles West	
Allan Boyd	
Andrew Toye	Discrimination is wrong full stop. Remedies under civil law (built up over centuries) will still exist.
Naomi	You can't appeal against a right you have surrendered so I suspect they'll go down - this is a leading and poorly written question.
asdjkl;	
Mark Inskip	
David Ord	None
Suzanne Fletcher	
Richard Fagence	
David Becket	Increase the number of claims
trevor snaith	na
Lois Norton	
Richard East	
Gareth Epps	The disapplication of unfair dismissal law with a cap, but not for other claims, will result in a disproportionate increase in discrimination claims. This goes directly against the thrust of current Government policy to reduce the numbers of vexatious or frivolous claims.
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	Anything from none to absolute, depending on implementation. Certainly potentially negative.
Katharina Draisbach	
Rachel Prince	
Simon Tucker	
Lucy Hodge	
Emma Watts	

Maria Pretzler

Daniel Henry

Christopher Pelling That depends wholly on how the legislation is framed. I would hope that the answer is as little as possible.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe It is likely to increase the number of tribunal claims, because fewer claims will be sorted out within companies and more employees will claim discrimination.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page Confusion.

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSON

Peter Catterall

CLlr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood

Graham Phillips The overall context for employment tribunal claims will be changed. There will be a lower profile generally for employment tribunals. Employees may therefore be less aware of their rights, and this may mean that claims for discrimination are reduced. I do not consider that it is sensible to diminish the role of employment tribunals. I disagree in principle with the proposals in this consultation document relating to unfair dismissal.

Sheryl Waterhouse None - it will be the same as it is now because the employee-owner only owns shares in the business, they have no control over the business. Employees may be bullied by employee-owners to not go to an employment tribunal due to individual greed that they may lose out financially if they claim is successful. This is another reason why this status should not be encouraged.

Nick Barlow I don't know enough of this area to comment.

David Edwards Due to the dismantling of legal aid probably very little

Candace Kendall

Sue Bollom Shouldn't have any but, with everything being 'watered' down for employees, wil probably be dire.

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago	As stated above, businesses may not appreciate the breadth of the category of automatically unfair dismissal. It is certainly possible that employee-owners who are aggrieved at treatment they have received by a business will want to explore the claims that are not precluded by their status. Given the scope of discrimination law, there are many avenues that an individual could pursue. For example, an employee-owner who needs flexibility to maintain care arrangements for a child with learning difficulties could potentially make both an associative disability discrimination claim and a claim for dismissal or detriment for asserting statutory rights (time off for dependants). This would be the case even though they had relinquished their right to request flexible working.
Charlotte Puttock	
James Hackett	
Jane Edsell	
Rod Dowler	
Gemma Brown	
Shona McCulloch	
Alan Lewis	
CLIVE B. JOHNSO	
Iolanda Carneiro	
David Jobson	
Rona Miller	nothing - if anything it is likely to make disputes more persistent as the only businesses likely to want to use this are the ones with poor employment practice anyway
Helga Janzen	
Andrew Harrison	
Yvonne	
Chris Whitmore	
Nzube Ufodike	
Giles Robertson	
Alex Wasyliw	
Anna Dubert	
Paul Wild	they will go up because they will be the only way to stop a bad employer
George Potter	Employment tribunal claims will increase significantly due to more cases of discrimination by employers as a result of the reduced obligations they face.
Gemma Roulston	
Fiona White	It should not have any impact. The tribunal should be impartial. If the employer has behaved responsibly any claim should be dismissed. If an employee has been treated unfairly in any respect, the tribunal should decide accordingly.
Mark Widdop	Cases where an employee believes they wish to challenge dismissal, the fact that unfair dismissal has been removed by the nature of the employment contract, means that other avenues would be explored both by the employee and the wider legal system, either through discrimination or through legal challenge to the value of the shares on exit from the company, which will add costs to the company.
Helen Rowe	
David Chaplin	They will rise.
William Jones	

Joanne Green	I believe it will reduce employment tribunal claims as companies will amend any equality and diversity discrepancies within their organisation once they realise they exist.
Paul Clarke	
Andrea Jones	
Lola Kiss	
Simon Charters	
Nicholas D Hart	It may increase such claims - see above
J. Janus	
peter hough	
David Winton	
Pauline Wilkes	
Aaron Hussey	
Derek Scott	
Alexandra MvAdam	None as discrimination claims cannot be willed away as part of European and international law and agreements.
Fiona Reid	
Alexandra McAdam	
Graeme Taylor	
Brian Berry	None.
xx	
Professor Deborah L	
john murphy	
Carol Tricks	
Steve Parfett	N/a
Tracy Connell	
Jon Robinson	
Doug Shaw	
jeremy tobias-tarsh	
Fiona Aldridge	
simon garbett	
Belinda McIntosh	
Robert Edwards	As per Q12 above, I think there will be little impact.
anita monteith	
Kevin Aggett	
Tim Lloyd	
Fiona Bell	



Anon Discrimination applications could potentially go up if people feel they have been treated unfairly but they have no other remedies available to them. The nature of discrimination claims could also become more complex.

Roger Chater Where the right to seek help at a tribunal continues this is likely to have no impact

Craig Edmondson

Dale Sinclair

Niki Rosenbaum Tribunal claims will decrease- a worrying outcome for any employee who has been demonstrably discriminated against and who was pressured into signing away their rights in return for as little as £2000 of shares, the value of which are determined by those who have treated them badly.

Neil Jones

Graeme Dickson Employees who lose their "ordinary" unfair dismissal right will probably seek to try to bring any claim into the ambit of discrimination so they can pursue their claims. This will lead to greater expense for employers which will harm businesses. It will be counterproductive.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale Very few if any, as any attempt to curtail the employment rights is likely to be challenged through other legislature so the potential costs will remain as high as before and lead to settlement of the claim. As the core reason for implementing the employee/owner structure is to avoid that, it's clear to me this strategy won't be effective unless the way in which decisions within the company can properly account for the control of the employee/owners having had an influence over key decisions of management in the same way as large shareholders

Flora Jafarzade

# Employee owner online consultation

## Question 11

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Catherine Shepherd We do not consider that the impact of removing the right to statutory redundancy pay will have a significantly negative impact in start-up businesses. An employee only accrues the right to statutory redundancy pay after 2 years' service and then the amount of pay is capped depending on age, length of service and the maximum cap on a weeks' pay. There may well be a negative impact where an employee-owner is made redundant and he or she has been employed for a number of years. Where an employee-owner has been engaged for 20 years, the statutory redundancy payment they may receive is not an insignificant £12,900. In larger companies it will still be open for an employer to allow an employee to benefit from a contractual redundancy scheme it may operate. Enhanced redundancy schemes are relatively common with larger employers. Obviously, however, an employer would be entirely within its right to exclude an employee-owner from such a scheme.

David Erdal Negative impacts are the lack of trust between company and staff. Clearly there is no genuine engagement here.

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell Drive up the price of labour. Normal people (and specifically people who have worked for fast-growing startups, companies with flexible workforces and/or lived and worked through the dot net boom) will see through the lies of the 'employee owner' employment status and not wish to get involved. Hence fewer good people will want to participate in start-up and smaller businesses. From my own experience, this would mean that businesses would have to pay closer to contractor/temp rates rather than employee rates, BEFORE taking into consideration the shares.

Jamie Rowe it would help more business start id imagine, the negative impacts are that if someone loses their job, the welfare state is complex, and slow to act, and how about a negative income tax, or some citizens credit type thing, further reforms to the universal credit, so that losing your job isnt as much to be feared.

Daran Brown We agree with EOA stance on this consideration. "We welcome this latest contribution to the debate on employee ownership, but whilst growing employee ownership should be part of the UK's Industrial Policy, such growth does not require a dilution of the rights and working conditions of employees – indeed employee ownership often enhances them. "Ownership matters. Employee ownership, creating businesses whose employees have significant ownership and involvement, offers a brilliant mechanism to spread business ownership from the few to the many whilst increasing productivity and innovation." I struggle to find the motivation on why employee owned businesses would need to reduce the rights of individuals as a trade off for a financial benefit. My feedback would be that I would not be in support of it. Instead of reduction of red tape, I think this would increase, different employment rights because you work for an employee owned business and at a detriment to the individual, my view is that is would be a reason not to attract future employees and it would be difficult for tribunals to understand. If the government is looking to potentially create a new employment status which gives businesses a greater choice about contracts, is this further reaching than employee owned businesses, I suspect it is. I also fear it could give EO businesses as bad name / reputation and this isn't something we want or need (we don't want or need the proposed change or the worsening of reputation).

Steve Collington Hire and fire culture. No benefits. Moves toward temporary culture.

Rachel Evans	e government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have. In particular, it is predictable that companies not doing well will need to make redundancies. Presumably their shares will not be worth very much!
Merrie Mannassi	None in reality. You don't go into redundancy lightly and the least you can do is give people a cushion while they try to find another job. Negative impacts - raising people's expectations with them not having a full understanding of the implications. Still having to explain the NI and tax costs they will pay up-front for maybe some un-quantifiable gain.
Jonathan Holden	
Rob Hill	
David Eastham	For a start up business it will be year three before any employees acquire redundancy rights anyway, so this is irrelevant. This question is a classic "straw man" scenario. So the real answer has to be "very little"
Martin Ward	No comment.
Prateek Buch	
C Austen	
Cornelia East	
Laurence Ross	It will be appalling for employees. Scrap the whole idea.
Laura Josh	
Laura Josh	
Tracy Winter	It is definately an incentive because many smaller businesses can be crippled by having to pay redundancy pay at times of crisis. However, it is essential that there must be a strong incentive offered to employees to accept this form of employment rather than the more traditional employment.
Andrew OCallaghan	
Mark Blackburn	Negative impacts described above - what is unacceptable morally cannot be mitigated pragmatically
Ben Harding	
DAVID HOSSACK	On the one hand, it may benefit smaller or start up businesses from a risk management perspective when considering taking on new staff. In terms of employers dealing with the redundancy process, decisions must be made on the basis of objective criterion, but it may be difficult for employers to take such an objective approach when dealing with a pool of employees which comprises both employees, and employee owners, with some employees entitled to statutory redundancy pay and others not due to their employee owner status.
Mark Lancaster	
Andrew Harrison	
Sally Stone	
Nichola Smith	
Nicola Mullineux	This will obviously mean a lesser pay out when employees are made redundant but significant benefit will not be seen for several years until which time entitlement to redundancy pay would have been substantial. Businesses, small or otherwise, will not be impacted by the removal of the obligation to pay statutory redundancy pay for a considerable time due to the continuous service provisions required for statutory redundancy pay. Unemployment figures will remain high – for every individual engaged on an employee owner contract thereby reducing unemployment, there is every possibility of the situation that a corresponding individual so engaged will be dismissed in what would currently be an unfair manner because there will be no risk of a tribunal claim (apart from discriminatory/automatically unfair dismissal). Mitigation would be achieved by not removing the claim of unfair dismissal for these types of contracts therefore avoiding the potential for consistently high unemployment figures.

Rob Pinniger Employees will be unfairly treated more often. There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Geoff Caesar

Claire Campbell

Will Winch SMEs and start up businesses will benefit from not having to pay statutory redundancy pay to employee owners, providing the employee owners have more than five years' service (or are over 42 with more than three years' service). Otherwise, if they dismiss by reason of redundancy, they will be worse off as the value of the shareholding will be greater than the value of the statutory redundancy payment. Given the first few years for any start up are usually the most precarious, this appears to make employee owner status less attractive. We also note that if redundancies are being effected, this may be a reflection of the poor performance of the business. As such, the value of the employee owner's shares is likely to be low. To deprive an employee owner of a statutory redundancy payment in these circumstances, seems unfair.

Billy Tonner See 13. How do you mitigate scowering people?

Ken Worthing

Martin Fletcher

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Peter Reisdorf

Chris Fox It can easily be mitigated by not introducing this system. I must repeat: There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans They will benefit in financial terms but will be regarded with some resentment and suspicion by some of their workers. Reducing someone's rights is never likely to improve the relationship between employer and employee.

Karen Ordoyno

Roger Englefield Providing the tax legislation is amended as per our answer to question 5 and by that provision I would not have thought it would have any impact.

David James Portmo

Greg Webb For startups, there is no impact; they cannot be required to pay redundancy pay because while they are in the startup phase they are extremely unlikely to have any employees with enough service to trigger statutory redundancy pay. By definition there the plan fails at its own objectives; it merely achieves a more complex ownership structure for the company to manage and for any prospective buyer or investor to deal with upon acquisition. It is a net loss.

Peter Hayes

Richard Sealy

Robert Carruthers It could create an underclass of employees, which would be a negative for team cohesion.

Martin Tod

Conor McGovern-Pa

Simon Dodd

MR M.H.Faiz

Martin Pierce I don't think it will make a material difference at all. Statutory redundancy pay, especially if you have not been employed for very long, is really not a very large amount of money at all. The big costs of exiting employees are generally at the top end where senior execs of large businesses negotiate remunerative exit clauses upfront at the point of hire

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks Statutory Redundancy Pay is a fundamental employment right. This should not be reduced in any employment contract. It seems unlikely that the new contracts will be used by ethical employers.

Julie Barclay

Ross Welland

Cllr. Nigel Jones

Sharon Bowden

Rob Pickering

Gerald Avison It won't work

Eric Feltn

Matthew Walsh It'll make the redundancy decision easier to make, but I doubt more people will be made redundant as a result.

Allan Wakefield

Graham Shelton We are 15 questions in and I am starting to lose the will. This shows that this scheme is too complex. Rein back the complexity!

george roussopoulo

Debbie Bullock do not believe it will be conducive to positive working relationship.

David Goodall

Chris Lucas Will benefit businesses at the expense of the employees. Mitigation will be achieved by removing employee rights from employee owner status.

Julian Huppert

Joan Finch

Alastair Macpherson The impact for start up businesses other than financial services is likely to be very limited

Fiona Bell Would there be scope for an employing company to be liable for some sort of wrongful dismissal claim even if statutory redundancy did not apply?

Deire MacGinley Don't do it, it's exploitative

E J Stacey Statutory redundancy pay is a small liability for an employer - the maximum cost being £12900 for a 20 year service employee over 61 and typically £4-5 k is the figure. I think this is not significant enough for an employer but gives the employer a loophole to get rid of an employee owner fairly and for no cost.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeysundera	I consider this proposal to be a disgraceful abuse of workers' rights - people are entitled to redundancy pay.
William Jones	It will allow companies to re-organise quickly without large costs and unproductive employees can be removed quickly at zero cost. The negative impacts may be demotivation and fear in the workplace.
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	divisive, demoralising, disinsentive to recruitment, mitigation Employee share ownership to be positive must be in addition to good working conditions, good statutory rights, good competitive pay and good fair management
Chris Williams	
Thomas Miles	Realistically the positive impact is going to be minimal. Statutory redundancy is very small anyway compared with UK average earnings. Plus, the employer will end up paying out some money anyway in terms of buying back the shares of the employees it makes redundant. It may even be that they spend more buying back the shares than they would have done paying statutory redundancy pay. This could be mitigated through some sort of exception allowing the employer to pay redundancy pay instead of buy-back if it is cheaper, but the employee needs to have some way of getting rid of useless shares in a company they no longer work for, so not sure if that is really feasible.
Matthew Lambert	
Simon Banks	See my answer to 12 above. Some money would be saved but a climate of fear would be promoted and this would be bad for business. In some cases it would make strike action more likely. The best way of mitigating the disbenefits would be abandoning the proposals.
chri smart	
Claire Booker	
Robert Heale	Negative impact
Trevor	
Ash Dorey	
Rory Roberson	
Louise Farrell	
Glenn Andrews	
Bev Cross	Redundancy payments are not generous anyway and entitlement only begins after two years continuous employment. Where employers need highly qualified staff, they may find that these employees would prefer to have their rights than to make a possibly risky investment.
Jordan Clough	
Nicolette Rattle	
Rob Prowse	
Elaine Woodard	
m taylor	
James Moore	
David Poole	

Roland Bell Employees will demand wages that are more inline with temporary staff and contractors to compensate for the lack of security. Also as employees are not accruing redundancy pay they are more likely to move jobs after a couple of years, since there is no value in staying with a company, particularly immediately after a stock market floatation and hence shares will have been cashed in.

Darren Newman This depends entirely on how the shares are to be valued when the employee leave and as yet we have no proposals for this. The negative impact will be entirely on employees who are persuaded to give up employment rights in return for a benefit of uncertain value.

Conor McGovern-Pa

Gev Pringle

Tracy Connell " In most cases you will have to have worked for two years to be able to claim redundancy pay"  
[http://www.adviceguide.org.uk/england/work\\_e/work\\_rights\\_at\\_work\\_e/basic\\_rights\\_at\\_work.htm#Rights\\_at\\_work](http://www.adviceguide.org.uk/england/work_e/work_rights_at_work_e/basic_rights_at_work.htm#Rights_at_work) Therefore the removal of statutory redundancy pay is not needed. Small businesses and start ups have two years of an employee before this right comes into play. Ample time to decide if the employee is suitable. It is only advantageous to those longer term companies who want to make people redundant at any time they please without having to pay out. The negative impact of these unscrupulous employers can be mitigated by retaining full employee rights.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis Appalling to even contemplate not offering redundancy pay. This government is morally bankrupt.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines There may be detrimental reputational impacts, which are of great concern to charities/ social enterprises.

Peter Stevens

karl meyer

Bob Browning

David Evans Unwillingness to join a small business. Mitigation is by not implementing the rules.

Charles West

Allan Boyd

Andrew Toye Partners in the business would be more insecure and risk-averse: this would be detrimental in the long term.

Naomi It will make it more difficult to recruit talented people. Start ups and SMEs can rarely afford to match the salary offerings for larger corporates. They've attracted talent by offering more flexible working patterns, better annual leave, more rapid promotion etc. If they're less competitive than the big corporates in terms of rights and benefits they'll struggle to recruit and retain talented staff. They'll be left with the dross.

asjdkf;

Mark Inskip

David Ord Since they'll have to buy the shares back it is in effect no different to redundancy pay except in the level of money paid out.

Suzanne Fletcher

Richard Fagence

David Becket Removing employee rights will not result in a growth in employee ownership. The impact is likely to be negative, and mitigation is achieved by scrapping the proposal

trevor snaith

Lois Norton

Richard East

Gareth Epps Given the link between shares and rights, there are bound to be legal claims for 'mis-selling' before too long, especially as there is no protection for the prospective employee whereby they can take advice about what they will be getting. The mitigation should be to remove the clauses to take away employment protection, or at the very least remove any element of compulsion.

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom It will make it easier for failed/failing businesses to limp along past the end of their useful life, thereby stifling the evolutionary aspect of the market. This could be mitigated by only allowing it in the case of sole-trader outfits. Employees of a failing business could then continue to offer their services to the failing company as sole-trader consultants, while still benefitting from the clear delineation of the failing company's finances and their own.

Katharina Draisbach

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling Well, political uproar once a few high-profile cases are seized on by the press, and hard-luck stories of employees and ruthless opportunism of employers are highlighted. That's where the good stories are going to be, as any competent press secretary can surely foresee.

Chris Lovell



Maria Pretzler

Martin Tod

Peter Howe It is likely to marginally decrease their costs of capital for start-ups. However, employees are likely to ask for higher pay in return for sacrificing the right to redundancy pay so that they can purchase unemployment insurance. These two costs are likely to balance out.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page The negative aspects will predominantly lie on the shoulders of the employees.

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSON

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood I think this scheme will contribute to a breakdown in trust between employees and employers - calling employees "owners" and then reducing their rights in exchange for a gain if the company does really well and the shares soar in value in the future sounds great. The truth is most companies shares will not gain hugely in value over the life of the business, and if the company reaches a redundancy position, its shares are likely to be relatively low in value - staff will have a poor deal. We had to make long serving staff redundant and actually offered enhanced redundancy pay, as we felt their service should be recognised. We have a loyal and committed workforce, those who remained had better morale because they felt their colleagues had been fairly treated. In our view this more than offset the cost of this arrangement.

Graham Phillips I do not favour an approach based on no statutory redundancy pay. Exactly at the point that redundancy takes place the employee needs a financial cushion to help prepare him / her for the way ahead. The Government is trying to reduce the welfare benefits bill, but removing statutory redundancy pay could be counterproductive to this, by forcing employees to rely on benefits.

Sheryl Waterhouse Businesses will benefit financially but this will be at the great loss of the individual employee who has the right to redundancy pay.

Nick Barlow I think they'll encourage many bad business decisions to be made by unscrupulous businesses.

David Edwards None - we simply would NOT go to the effort and expense of recruiting and employing someone only to make them redundant unless the business was about to completely close.

Candace Kendall

Sue Bollom Don't know

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago	As a redundancy payment is only be payable after 2 years of continuous service, the impact on start up businesses is likely to be minimal due to high staff turnover. The larger cost in a redundancy scenario is often notice pay if staff have lengthy notice periods that they are not required to work
Charlotte Puttock	
James Hackett	
Jane Edsell	
Rod Dowler	
Gemma Brown	
Shona McCulloch	
Alan Lewis	
CLIVE B. JOHNSO	
Iolanda Carneiro	
David Jobson	
Rona Miller	impact - worse than now - reduncunacy if statutory only is not a high cost
Helga Janzen	
Andrew Harrison	
Yvonne	
Chris Whitmore	
Nzube Ufodike	
Giles Robertson	
Alex Wasyliw	
Anna Dubert	
Paul Wild	Anyone with an ounce of sense will try and stay away from these companies
George Potter	Employees will be more open to abuse by their employers, they will lack confidence in their future with their employer and will therefore be more reluctant to spend money in the economy, will be less productive and will be less loyal to their employers as a result of the perceived lack of obligation by the employer to them. These negative impacts could only be fully mitigated by scrapping the scheme and this is what should be done.
Gemma Roulston	
Fiona White	This consultation seems to be biased in favour of employers.
Mark Widdop	Employees will avoid these contracts, as they will have little or no protection from dismissal or redundancy, and the shares being defined as worthless by the company, this will make employment harder imposing additional costs onto business Having no legal right to stationary redundancy would make the employee more likely to legally challenge, as having no legally defined minimum payment
Helen Rowe	
David Chaplin	They will become embroiled in litigation. Also what happens on TUPE?
William Jones	

Joanne Green Because there is an opt-out to automatic pension enrollment by having set dates when employees can opt-out could enable reports to be published giving absolute numbers of who is and is not paying into a pension. This information could assist National Insurance Contributions if the reports are published online for them to access. This could help to mitigate the negative impacts as abatement plans can be created to reverse negative trends.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart smaller and start up businesses will not be able to qualify because of the valuation rules. see above

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam It will put people off applying for jobs with this lack of a basic protection provision and businesses will be left with less qualified and skilled people.

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry The cost of the shares may, for some employees, cost more than statutory redundancy. However the longer an employee is employee the cost of shares my be less than paying redundancy. However in order to attract employees to the share scheme the shares must be enough to entice an employee. My own feeling the shares offered should exceed the value of a claim at tribunal but less than the total cost of redundancy. Cost here includes legal advice, time to prepare for tribunal and all associated costs.

xx

Professor Deborah L

john murphy

Carol Tricks

Steve Parfett N/a

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards      Assuming this can only apply to new hires, and that statutory redundancy payment value only increase to material levels over a relatively long period of service and even then only after two years service I dont think it will make much difference.

anita monteith

Kevin Aggett

Tim Lloyd              I think there is a risk directors will take their employment responsibilities less seriously.

Fiona Bell

Anon                    For businesses it will obviously mean that they can get rid of people more easily, and they'd be more inclined to do so because the people they're getting rid of won't be entitled to claim unfair dismissal if the dismissal was, in fact, unfair, and they won't be entitled to any payout. I can't imagine it would benefit the benefits bill either. For individuals it will mean they are less secure in their employment, and the nature of the employment relationship could change in such a way that creativity and innovation are stifled. The new status really only creates flexibility for employers, and insecurity for workers.

Roger Chater         very limited but it is possible to imagine an unscrupulous employer using this process prior to a redundancy situation to minimise cost.

Craig Edmondson

Dale Sinclair

Niki Rosenbaum      Hugely negative impact- the owner employee scheme is weighted heavily in favour of bad business which will consider £2000 of shares a small price to pay when you consider SRP can come to much more for long-serving employees.

Neil Jones

Graeme Dickson      If there are redundancies the business most likely will be in financial trouble already so the value of the shares may be low in any case. How will this scheme fit into NIF? Redundancy payments do not kick in until 2 years' service in any case. Like UD rights, giving up redundancy rights seems a loss of right with little reward. True employee owners share the risk and benefits. This scheme does not achieve this.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale   None, employees aren't taken on with the intent of paying them redundancy. Businesses plan for growth, management of redundancy and insolvency is downside mitigation that only is accounted for when the economy or market changes for the worse not when employers are taking people on

Flora Jafarzade

# Employee owner online consultation

## Question 12

d

Catherine Shepherd We do not consider that the change to the maternity notice period from 8 weeks to 16 weeks where an employee wishes to return from maternity leave early will have any significant impact for employers. In our experience, it is not the notice of returning from maternity leave which causes an employer "frustration" but the fact that an employee will be out of the business for any period of up to one year (and potentially more where an employee is entitled to take their accrued holiday or requests parental leave). Even under the proposed extension to the notice period, an employer may still not know for any period of up to 35 weeks whether or not an employee is intending on returning before the end of one year. In practice, we tend to find that in the small and "start-up" businesses at which these proposals are stated to be aimed, the nature of the workforce is such that employees are more likely to be in dialogue with their employer as to their intentions and plans. Indeed, the simple fact is that an employee-owner who has a one month notice period may simply give notice under their contract of employment that they wish to end their employment one month before their maternity leave ends and not return. As they are not returning early there is no statutory requirement for them to give any earlier notice of their intentions.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell Increase their workload. Employees will just go through the motions (as they do now) to ensure that they have a job and make the final decision in the weeks immediately preceding their intended return. As employee owner's they will be able to make their final decision on the day they were intending to return!

Jamie Rowe none that i can really see,

Daran Brown Not sure

Steve Collington Adverse, mothers will seriously consider not working, resulting in loss of experience,

Rachel Evans e government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have.

Merrie Mannassi That would be sensible as maternity leave seems to have got out of control.

Jonathan Holden

Rob Hill

David Eastham Negligible

Martin Ward Slight.

Prateek Buch

C Austen

Cornelia East

Laurence Ross      Worry about employees, not employers. The overwhelming majority of the population are employees.

Laura Josh

Laura Josh

Tracy Winter      May be helpful in some cases as employer has more time to make business arrangements when the employee decides they wish to come back early from their maternity leave.

Andrew OCallaghan

Mark Blackburn      Negative in the short term, but necessary in the greater scheme of equal opportunities

Ben Harding

DAVID HOSSACK      It should give employers more time to plan and put adequate cover in place for the period of maternity, so it should work to their advantage. It would also allow greater certainty regarding succession planning if a woman decides not to return to work after maternity leave

Mark Lancaster

Andrew Harrison

Sally Stone

Nichola Smith

Nicola Mullineux      Employers will be faced with more uncertainty and this change will not help them. 16 weeks is a significantly long time within which employee circumstances might change. Employees may be put off from returning early, thus keeping good employees away from the workplace for longer than the employee had initially wanted to, because of the very long time prior to the return that the employee would have to make up their mind. Employers consequently will be required to continue to pay maternity pay and the cost of a replacement for an employee on maternity leave for longer, or alternatively have to cope with a depleted workforce for longer than otherwise.

Rob Pinniger      None. It will however, disrupt the lives of women employees.

Geoff Caesar

Claire Campbell

Will Winch      This may make employers less likely to engage with female staff going on maternity leave. They will know that they are unlikely to be troubled by the employee on maternity leave returning unexpectedly.

Billy Tonner      There will be a rise in sickness absence, in claims for compensation for work related stress and a loss of trained workers to other employers who retain the present protections.

Ken Worthing

Martin Fletcher

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Peter Reisdorf

Chris Fox      See 15 above.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans      It will make it easier for them to plan maternity leave cover etc but harder for the new parent to cope with a massive and difficult change in her life.

Karen Ordoyno

Roger Englefield	None.
David James Portmo	
Greg Webb	Maternity notice periods at present are hardly onerous; I would be surprised if this made a significant difference.
Peter Hayes	
Richard Sealy	
Robert Carruthers	Not sure. We currently do not have female employees in our very small team.
Martin Tod	
Conor McGovern-Pa	
Simon Dodd	
MR M.H.Faiz	
Martin Pierce	For micro businesses such as my own, I can't imagine it having any material impact at all
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	<p>oubling the notice period for early return from maternity leave is reducing a fundamental employment right. This should not be reduced in any employment contract. It seems unlikely that the new contracts will be used by ethical employers. Increasing the notice period for early return from maternity leave will increase the pressure on women at a time when they should be able to focus on their new baby and on their own recovery from the birth. Many women will find it difficult to plan their arrangements for return to work 16 weeks in advance, as they will need to finalise childcare and resolve flexible working arrangements. This unnecessary pressure is likely to result in more women resigning their jobs during maternity leave. This will reduce women's labour market participation and increase the gender pay gap.</p>
Julie Barclay	
Ross Welland	
Cllr. Nigel Jones	
Sharon Bowden	
Rob Pickering	
Gerald Avison	We would ignore it
Eric Feltin	
Matthew Walsh	It's a positive change to require more notice but still doesn't deal with the issue of individuals not being able to be honest with employers without losing out.
Allan Wakefield	
Graham Shelton	Anything that gives business more ability to run the business is good.
george roussopoulo	
Debbie Bullock	do not believe will alter practicality of things.
David Goodall	

Chris Lucas	Beneficial impact for employers, bad for employees. Forces mothers to give c. four months notice when they may not know if they are ready to return or not.
Julian Huppert	
Joan Finch	
Alastair Macpherson	
Fiona Bell	In theory it gives great certainty and the opportunity to plan in larger organisations. In smaller organisations it may remain flexible anyway.
Deire MacGinley	Don't do it, it's exploitative
E J Stacey	This change should be made for all employees as it would benefit all employers - don't introduce yet another criterion and exception to remember
Miss Grant	
Keir Fuller	
Gill Phipps	
Janet Abeysundera	None fo decent employers
William Jones	We will be able to plan more effectively.
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblin	
chris smart	make recruitment more difficult make retention of staff more difficult
Chris Williams	
Thomas Miles	Not much. Really the concern for employers seems likely to be about workload management, rather than about when the employee is coming back. Now that unfair dismissal has been extended to 2 years, employers don't have the problem of not being able to dismiss temporary cover employees when the maternity leave employee returns so I can't see that this is realistically a big deal for employers (and wouldn't be worth £2k of shares).
Matthew Lambert	
Simon Banks	Some financial benefits but some loss of capable staff, as employers offering better benefits would be at an advantage in recruiting and retaining.
chri smart	
Claire Booker	
Robert Heale	Negative impact
Trevor	
Ash Dorey	
Rory Roberson	
Louise Farrell	
Glenn Andrews	
Bev Cross	Small employers may welcome it but I don't think it will make much difference to larger ones - apart from adding an extra layer of complexity for their HR departments in having to administer two sets of rules.
Jordan Clough	



Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell           None, employee's will just give the longer notice, but this will make little difference to whether they actually return or not.

Darren Newman       None whatsoever. It is a bizarre proposal. Why should owner-employee status make it more difficult for an employee to return to work early?

Conor McGovern-Pa

Gev Pringle

Tracy Connell       Sixteen weeks is a long time for an employee decide if they are willing and able to return to work, and may be more inclined not to return at that stage than if they were to give only four weeks notice. An employer could therefore lose a valuable member of staff for no reason and at the detriment of the company.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis       None at all; most women give very early notice of when they intend to return. This is a non-issue.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines           None.

Peter Stevens

karl meyer

Bob Browning

David Evans

Charles West

Allan Boyd

Andrew Toyne      Difficulty in recruiting young women as their situation if pregnant will be more precarious

Naomi      A negative one. Women won't work in the companies that adopt these practices. If you want your product to be attractive to female consumers (& why would you ignore over 50% of the population that has increasing purchasing power?) then you must have women on your payroll or you're missing a big trick.

asdjkl;

Mark Inskip

David Ord      None

Suzanne Fletcher

Richard Fagence

David Becket      Any reduction in changes such as this will have a negative effect on employee motivation, bad for the employer

trevor snaith

Lois Norton

Richard East

Gareth Epps      Negative and discriminatory.

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom      Employers making full use of the change will likely find it more difficult to retain staff in the long term. The labour market demands ever more flexibility, and this appears to move in the opposite direction.

Katharina Draisbach

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling      Probably a big one. Why not ask what impact this might have on women's employment prospects? Doesn't the department care?

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe      It will help workforce planning.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page -

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSON

Peter Catterall

CLlr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood A longer period would be greatly welcomed - but again applying it to some employees only will not make for harmony in the workplace - just do it for all.

Graham Phillips The proposed change to the maternity notice period is sensible, and should be beneficial to all employers.

Sheryl Waterhouse Women may feel that these terms are unfair, especially if they incur problems in returning to work, this may cause them be unmotivated and resent their employer and they leave the company altogether.

Nick Barlow Very little, though will likely cause many problems for employees.

David Edwards Complicate working relationships - persons on maternity leave find it hard to plan anyway, this just adds more pressure.

Candace Kendall

Sue Bollom

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago It may help them to plan their maternity cover although it is more likely to increase costs in situations where an employee does wish to return early, her employer is paying over the odds for interim cover and the woman on maternity leave is receiving all her benefits in kind at the continuing cost of the employer. Surely the better situation is for the woman to return to her role as soon as possible and the employer return to paying only her.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO

Iolanda Carneiro	
David Jobson	
Rona Miller	not a lot
Helga Janzen	
Andrew Harrison	
Yvonne	
Chris Whitmore	
Nzube Ufodike	
Giles Robertson	
Alex Wasyliw	
Anna Dubert	
Paul Wild	usual...
George Potter	Employers will be more likely and more able to discriminate against women in an age range where they might have children.
Gemma Roulston	
Fiona White	None.
Mark Widdop	
Helen Rowe	
David Chaplin	Increased complexity as there will be even greeter opportunity for confusion and dispute.
William Jones	
Joanne Green	It will give employers confidence as it offers the opportunity to aid Business Plans and Business As Usual.
Paul Clarke	
Andrea Jones	
Lola Kiss	
Simon Charters	
Nicholas D Hart	i would not expect those likely to be affected to be offered those shares because of the automatically unfair exemption.
J. Janus	
peter hough	
David Winton	
Pauline Wilkes	
Aaron Hussey	
Derek Scott	
Alexandra MvAdam	None.
Fiona Reid	
Alexandra McAdam	

Graeme Taylor

Brian Berry It may force women to leave the work force due to the cost of child-care and if the man makes less than his partner then he may leave to work force in order to care for the children. From a social standpoint it might help families but impact the skills in the UK. The worst case scenario it could mean the UK becomes less competitive due to workers of child-bearing years are being forced out of the work force in order to care for children. Thereby having an older workforce that is facing health problems associated with middle-age.

xx

Professor Deborah L

john murphy

Carol Tricks

Steve Parfett N/a

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards Little, as the underlying maternity rights remain unchanged.

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon Don't know.

Roger Chater Expose them to discrimination claims

Craig Edmondson

Dale Sinclair

Niki Rosenbaum I cannot see it will have any positive impact. Many employers are keen to see new mothers return to their posts as soon as possible. Placing barriers in the way requiring longer notice periods seems a measure for the sake of having one and will not help anyone.

Neil Jones

Graeme Dickson Again an erosion of rights. Employers are entitled to proper notice for people returning from leave. Change the general law on the notice provisions for returning mothers, don't make piecemeal changes.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale None, 2 months is sufficient time to make arrangements for the return of employees



# Employee owner online consultation

## Question 13

d

Catherine Shepherd In our view much would depend on the cover arrangements an employer has in place. If an employer has contractual obligations to the individual covering the maternity leave, for example, the individual is on a fixed term contract, we would advise an employer that legally it should honour that contract and provide the returning employee with an alternative later date for her return. We suspect that in practice much will depend on an employer's desire to maintain relationships with the maternity returner and potential performance issues with the maternity cover. However, we do not consider that this position is any different whether the notice period the employee is required to give to return early is 8 weeks or 16 weeks.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell If there is a vacancy or one can be created by a no-fault dismissal, and the person was a good employee then take them back on - obvious really!!

Jamie Rowe no idea, depends on the employer

Daran Brown Not sure

Steve Collington Try to encourage their employee to return or be fired.

Rachel Evans e government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have.

Merrie Mannassi Probably welcome it. Except you have given us the problem of what to do with the Agency Workers Directive for anyone working maternity cover or having to end a fixed term contract early.

Jonathan Holden

Rob Hill

David Eastham In a small business this often depends on the personal dynamics of the individuals involved. This measure is of little practical benefit and seeks to "solve" a problem that in truth often is an illusion.

Martin Ward No comment.

Prateek Buch

C Austen

Cornelia East

Laurence Ross No idea.

Laura Josh

Laura Josh

Tracy Winter Very much depends on the employer. In some cases they would allow the employee back earlier without the notice but in many cases they would not allow this and ensure the employee gives the full 16 weeks written notice.

Andrew OCallaghan

Mark Blackburn Welcome them back if they value the employee

Ben Harding

DAVID HOSSACK It depends on each employer's circumstances.

Mark Lancaster

Andrew Harrison

Sally Stone

Nichola Smith

Nicola Mullineux This would depend on the accommodating measures put into place by the employer to cover the absence of the employee on maternity leave. Where a replacement employee had been drafted in, employers may have to wait until the end of the notice period of the replacement employee had expired before permitting the employee to return. Alternatively, they may be pleased to see a full complement of staff earlier than they had expected and would welcome the employee back.

Rob Pinniger Accept their return to work while attempting to avoid paying them.

Geoff Caesar

Claire Campbell

Will Winch If they do not have to take the employee back, it is unlikely that they will agree to the request. If, however, they are keen to take the employee back, they will accept them.

Billy Tonner They will either pay off temporary staff engaged to cover for maternity leave or simply refuse to take back the maternity leave employee in any other capacity but to avoid litigation with a view to removing them ASAP.

Ken Worthing

Martin Fletcher

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Peter Reisdorf

Chris Fox Depends on the employer. One would hope all employers would do the right thing, but statutory regulation exists in order to ensure that that happens. The proposed change weakens those regulations in favour of the employer, and therefore makes 'doing the right thing' easier to avoid.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans Depends on what interim provision they have made.

Karen Ordoyno

Roger Englefield Depends on the circumstances and the individual.

David James Portmo



Greg Webb	This is likely to be firmly on a case-by-case basis, but I suspect most small companies would welcome the returning colleague gladly at reduced notice. 16 weeks is already longer than a standard temporary employment contract and so it is likely that if temporary cover has been arranged it can easily be wound up well within that period; if it has not, the typical small company is sufficiently stretched in staffing that an earlier return would be an unmitigated blessing in all likelihood. For large companies, I fail to see why it would worsen the situation. By virtue of scale they have significantly greater flexibility due to being able to move staff internally; they are by far the best placed to deal with short-notice changes in staffing and least likely to require substantial notice.
Peter Hayes	
Richard Sealy	
Robert Carruthers	See above.
Martin Tod	
Conor McGovern-Pa	
Simon Dodd	
MR M.H.Faiz	
Martin Pierce	Most employers, if the employee is good, would be delighted if the employee wished to return early - depending on the arrangements they have in place for mat leave cover - often this is done via contractors however so it's easy to move them on to accommodate the return of the regular employee
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	
Julie Barclay	
Ross Welland	
Cllr. Nigel Jones	
Sharon Bowden	
Rob Pickering	
Gerald Avison	Nothing
Eric Feltn	
Matthew Walsh	To preserve the relationship I would expect them to allow it.
Allan Wakefield	
Graham Shelton	No idea. I'm starting to twitch.
george roussopoulo	
Debbie Bullock	decline, as will have taken on commitment to maternity cover or the maternity cover will suffer as they will be released for the experienced employee to come back.
David Goodall	
Chris Lucas	Prevent them from doing so (dependent on cover arrangements).

Julian Huppert

Joan Finch

Alastair Macpherson

Fiona Bell Normally they would allow early return unless they were already committed to paying for temporary maternity cover and the work available would not justify two people in the job.

Deire MacGinley Don't do it, it's exploitative

E J Stacey It could still be possible to make an exception if agreed by all. It may suit all parties to do this - or not.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeysundera Don't know

William Jones no comment

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblin

chris smart welcome them with open arms

Chris Williams

Thomas Miles Most of the time they would probably be pleased to welcome the original staff member back, especially if they are experienced and good at their job.

Matthew Lambert

Simon Banks No comment.

chri smart

Claire Booker

Robert Heale

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross Depends on the employer and the circumstances. If the employee who has been recruited as maternity cover is not working well then the employer may welcome an early returner with open arms! And see above re complexity for HR departments.

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell            If there is work and a suitable vacancy then take the person back on - no brainer. The problems only arise where the maternity leave stand-in is a normal employee and does not have a job to return to - if the 'temp' is better than the returning employee owner then the returning employee owner will be dismissed through a non fault dismissal - obvious really.

Darren Newman        Talk about it and reach an agreement. I repeat this is a bizarre proposal.

Conor McGovern-Pa

Gev Pringle

Tracy Connell           They would either be inclined to dismiss them in favour of continuity with the person covering their maternity leave or, if they are a respectable employer, would negotiate a mutually convenient time for them to return without impeaching on the temporary worker's contract.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis           Let them, for heaven's sake - what is the benefit for either party in refusing?

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines             If you value an employee you would want them back.

Peter Stevens

karl meyer

Bob Browning

David Evans

Charles West	
Allan Boyd	
Andrew Toye	Employ replacements on a more short-term basis
Naomi	Pass the cost/problem on to their customers or another member of staff probably.
asdjkl;	
Mark Inskip	
David Ord	take them back. They must be a good employee or else they would have got rid of them anyway.
Suzanne Fletcher	
Richard Fagence	
David Becket	Let them
trevor snaith	
Lois Norton	
Richard East	
Gareth Epps	N/A
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	I suspect employers would be wary of exposing themselves to their employee's personal situations. An employee who returns to work early because they have mismanaged their own finances is unlikely to be fully productive, and would be in the way of a potentially more productive temporary replacement. It makes most sense for the company and the individual for life-changing personal life circumstances like these to be fully dealt with before return to work.
Katharina Draisbach	
Rachel Prince	
Simon Tucker	
Lucy Hodge	
Emma Watts	
Maria Pretzler	
Daniel Henry	
Christopher Pelling	Employers would differ.
Chris Lovell	
Maria Pretzler	
Martin Tod	
Peter Howe	They will normally accommodate the individual. I know of very few companies that can afford to turn away an employee who wants to work!
Gavin Greig	
Paul Whittle	

Dr D L Clements

S. Page -

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSON

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood It will obviously have to depend on what commitments you've made to the person who is providing maternity cover. If you happen to have a suitable task that either the returnee or the cover can be allocated to, no problem, but in a smaller workplace finding something appropriate for the "spare" person to do can be a real headache. It would be better to have shorter notice which must be given and adhered to, rather than longer notice which can be varied at will.

Graham Phillips It is difficult to say. The response of employers could vary, as outlined in paragraph 37.

Sheryl Waterhouse Employers may say that the employee cannot return to work early as they may have replaced the individual on maternity/ adoption leave. This again could adversely affect the employees motivation levels and respect for their employer.

Nick Barlow Wish they had more flexibility to allow this.

David Edwards

Candace Kendall

Sue Bollom If good employee, would probably agree without any problems.

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago This answer is obvious - it will depend on the circumstances. Some employers may feel comforted that they can hold a returning mother at bay for 4 months rather than 2. Clearly, employers who need the woman back in the workplace would waive their right to 16 weeks notice. Employers who do not wish to allow them back early for whatever reason would hold the returning mother to the notice period.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO

Iolanda Carneiro

David Jobson

Rona Miller            poor practice would result in dismissals

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild

George Potter

Gemma Roulston

Fiona White            They should negotiate with the employees in an attempt to reach an outcome which is acceptable to both parties.

Mark Widdop

Helen Rowe

David Chaplin           Nothing.

William Jones

Joanne Green           In my view employers' would accept the employees and not employ Fixed Term employees. Instead they would employ Interim's, use Secondments, and Transfers until the employee returns. This will 'Up Skill' staff and help them to understand how the entire business runs.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart        see above - any attempt to penalise would run the risk of an automatically unfair dismissal or discrimination claim.

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam    Not sure.

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry           Employers should be ready to accept employees back from maternity earlier than 16 week notice.

xx

Professor Deborah L

john murphy

Carol Tricks

Steve Parfett           N/a

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards       Let them return early in most cases.

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon                    Either refuse, accept, or negotiate.

Roger Chater           Most would agree.

Craig Edmondson

Dale Sinclair

Niki Rosenbaum        I would expect them to welcome their return- nobody wants employees away longer than necessary.

Neil Jones

Graeme Dickson        Depends on the business and the need for the employee. Proper discussion between employers and employees on these issues should ensure appropriate dialogue. We need to move on from the "master" / "servant" ethos and the parties need to work together, 16 weeks seems far too long for a notice period, given how long maternity leave actually lasts.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale Be glad to have them back, it really makes no difference. Typically any cover comes from internal resource, agency staff who are on short terms notice or through organic growth

Flora Jafarzade



# Employee owner online consultation

## Question 14

d

Catherine Shepher We are not responding to this question.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell Don't see any changes unless the shares are to be treated as pay.

Jamie Rowe no idea

Daran Brown Not sure

Steve Collington

Rachel Evans I don't know

Merrie Mannassi No idea.

Jonathan Holden

Rob Hill

David Eastham Very little

Martin Ward No comment.

Prateek Buch

C Austen

Cornelia East

Laurence Ross How can anyone know?

Laura Josh

Laura Josh

Tracy Winter Not able to answer without final details of the actual provisions.

Andrew OCallagha

Mark Blackburn Much bigger challenges come before payroll departments on a daily basis

Ben Harding

DAVID HOSSACK No comment.

Mark Lancaster

Andrew Harrison	
Sally Stone	
Nichola Smith	
Nicola Mullineux	No response provided
Rob Pinniger	Not at all.
Geoff Caesar	
Claire Campbell	
Will Winch	
Billy Tonner	
Ken Worthing	
Martin Fletcher	
.	
Peter Reisdorf	
Chris Fox	It would have next to no impact.
ndougherty	
Zoe Martin	
Campbell Ritchie	
Jean Evans	Again entirely depends on a lot of variables.
Karen Ordoyno	
Roger Englefield	None.
David James Port	
Greg Webb	I'm not a payroll expert and reserve comment on this topic.
Peter Hayes	
Richard Sealy	
Robert Carruthers	No change.
Martin Tod	
Conor McGovern-P	
Simon Dodd	
MR M.H.Faiz	
Martin Pierce	To be honest, i haven't the faintest idea! As a micro business I outsource this to my accountant, and I assume they would have to make the systems changes to make it possible
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	

Andy Davies	
Samantha Jinks	
Julie Barclay	
Ross Welland	
Cllr. Nigel Jones	
Sharon Bowden	
Rob Pickering	
Gerald Avison	It is another expensive thing to worry about. Avoiding getting into a difficult situation is best achieved by not introducing this crazy option
Eric Feltn	
Matthew Walsh	It will add even more complications but most payroll departments will cope just fine.
Allan Wakefield	
Graham Shelton	See above
george roussopoul	
Debbie Bullock	additional workload.
David Goodall	
Chris Lucas	
Julian Huppert	
Joan Finch	
Alastair Macpherso	
Fiona Bell	Inevitably there will be extra admin with two systems and the cost of revising payroll software.
Deire MacGinley	Don't do it, it's exploitative
E J Stacey	Little impact. Just a different payroll flag.
Miss Grant	
Keir Fuller	
Gill Phipps	
Janet Abeysundera	Do not introduce these changes
William Jones	Simplified.
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	complication for no gain
Chris Williams	
Thomas Miles	Don't know.

Matthew Lambert

Simon Banks           Unclear if this question refers financial gain or loss or changes in systems.

chri smart

Claire Booker

Robert Heale

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross           I can see them adding complexity especially with regard to dividend payments and equity payments. These are unearned income and could put an considerable additional burden on medium sized employers (being unquoted companies) who may double their shareho

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell           None.

Darren Newman      Don't know

Conor McGovern-P

Gev Pringle

Tracy Connell       It will obviously cost more money for the company to implement these changes and mean having to go through extra red tape.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis	No idea
Gareth Epps	
Lorna Farrant	
tanya barman	
Ada Benson	
Matthew Swallow	
Tim Chudley	
James Blessing	
Kevin Slevin	
Julia Hines	
Peter Stevens	
karl meyer	
Bob Browning	
David Evans	
Charles West	
Allan Boyd	
Andrew Toye	Create confusion if there a different statuses within the same company
Naomi	Irrelevant as this function is largely (& cheaply) outsourced these days even for micro organisations.
asdjkl;	
Mark Inskip	
David Ord	Minor programme changes - the sort of thing that would be included in any good suport contract.
Suzanne Fletcher	
Richard Fagence	
David Becket	I assume the plan is to cut payroll costs to the disadvantage of the employee
trevor snaith	
Lois Norton	
Richard East	
Gareth Epps	N/A
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	Companies will likely have less exposure to risk, thus reducing the need to provide funds for all eventualities. Business thrives on risk though, and so will look for other potentially greater risks to take. In general, these changes decrease a business's
Katharina Draisbac	
Rachel Prince	

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling I imagine it would help them a lot, otherwise they would not do it. Does that make it right?

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe Very limited. Payroll operations are often outsourced.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page -

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSO

..

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood Increased cost and complexity. Savings may materialise if you make staff redundant, depending on how the balance between share value and maternity pay plays out, or if you take on a lot of people then get rid of them for poor performance - but in our vie

Graham Phillips It will depend on how companies choose to operate the new system.

Sheryl Waterhouse Changing the system could prove confusing for payroll staff with many people on different systems of employment, staff would have to receive additional training. The whole payroll process would likely to be more time consuming and could lead to delays in

Nick Barlow I do not know enough to comment.

David Edwards

Candace Kendall

Sue Bollom Depends on how integrated everything is

qwer

Tom Roberts

David Daws

Peter Shouksmith  
Karen Teago Not sure  
Charlotte Puttock  
James Hackett  
Jane Edsell  
Rod Dowler  
Gemma Brown  
Shona McCulloch  
Alan Lewis  
CLIVE B. JOHNSO  
Iolanda Carneiro  
David Jobson  
Rona Miller make it more complicated  
Helga Janzen  
Andrew Harrison  
Yvonne  
Chris Whitmore  
Nzube Ufodike  
Giles Robertson  
Alex Wasyliw  
Anna Dubert  
Paul Wild these questions are loaded in favour of the scheme.  
George Potter  
Gemma Roulston  
Fiona White They won't  
Mark Widdop  
Helen Rowe  
David Chaplin More complexity.  
William Jones  
Joanne Green It will retain a steady baseline as there will be fewer internal basic-salary fluctuations.  
Paul Clarke  
Andrea Jones  
Lola Kiss  
Simon Charters

Nicholas D Hart	Make them much more complicated - the payroll is often the start point for monitoring employee status. annual returns required for employee shareholders will also become more burdensome.
J. Janus	
peter hough	
David Winton	
Pauline Wilkes	
Aaron Hussey	
Derek Scott	
Alexandra MvAdam	Will have some impact.
Fiona Reid	
Alexandra McAdam	
Graeme Taylor	
Brian Berry	I do not see a major chnage.
xx	
Professor Deborah	
john murphy	
Carol Tricks	
Steve Parfett	N/a
Tracy Connell	
Jon Robinson	
Doug Shaw	
jeremy tobias-tarsh	
Fiona Aldridge	
simon garbett	
Belinda McIntosh	
Robert Edwards	It will make the role of HR/Finance/Management a little more complex in respect of administering a share plan but should not impact on payroll significantly.
anita monteith	
Kevin Aggett	
Tim Lloyd	
Fiona Bell	
Anon	Probably quite positively given that they won't have to deal with as many redundancy payments any more.
Roger Chater	Don't know
Craig Edmondson	
Dale Sinclair	



Niki Rosenbaum I believe that increased productivity and not having to potentially pay agency/temp staff to cover the post will offset the return to normal salary outlay.

Neil Jones

Graeme Dickson Payroll is not that complicated and this change does not provide a sufficient benefit to justify it.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale No impact

Flora Jafarzade

# Employee owner online consultation

## Question 15

d

Catherine Shepherd We do not consider that a compulsory 16 weeks' early return notice will have any impact on the length of maternity leave that mothers take or adoption leave that parents take. If anything, it may simply increase the period of leave where an employee-owner considers that they have "missed the boat" to return early.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell In the main none, however for those who were planning on returning to work early, we can expect them to be putting in their request before they commence their maternity leave!

Jamie Rowe none really?

Daran Brown Not sure

Steve Collington None. Most mothers know at 5 months if they're having the baby.

Rachel Evans

Merrie Mannassi No idea

Jonathan Holden

Rob Hill

David Eastham Very little.

Martin Ward No comment.

Prateek Buch

C Austen

Cornelia East

Laurence Ross There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Laura Josh

Laura Josh

Tracy Winter Depends on the situation but in some cases mothers have to take longer than they wanted to and fathers might lose the opportunity to take as much additional paternity leave as they wish to.

Andrew OCallaghan

Mark Blackburn It just facilitates more flexibility and a fairer working environment

Ben Harding

DAVID HOSSACK We do not think this would have any effect on the actual length of maternity leave - we expect women would just take this into account when making arrangements

Mark Lancaster

Andrew Harrison

Sally Stone

Nichola Smith

Nicola Mullineux It will potentially increase the amount of time that an employee takes as maternity leave because they may find that making a decision so early on in their maternity leave (as they would be forced to do by being required to give 16 weeks' notice) would not suit them because they may not know at that stage that they will be ready in 16 weeks' time to return to work. This will be the case if employers use their right to require 16 weeks' notice and choose not to allow a lesser notice period.

Rob Pinniger

Geoff Caesar

Claire Campbell

Will Winch It is likely to have a polarising effect, as women are required to make a decision earlier and therefore with less information. Some women may feel that the longer notice means they need to decide to return when they're not sure and conversely, some will make a precipitous decision not to return.

Billy Tonner

Ken Worthing

Martin Fletcher

.

Peter Reisdorf

Chris Fox There's no way of knowing this. But we should not change legislation in the hope that it will engineer a world in which mothers take less maternity leave.

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans UNlikely to have sufficient effect to make it worth changing the rules.

Karen Ordoyno

Roger Englefield No real effect expected after a period of getting used to the new rules.

David James Portmo

Greg Webb Empty pontificating would be just that: empty. This is a question for research and analysis, not conjecture.

Peter Hayes

Richard Sealy

Robert Carruthers See above.

Martin Tod

Conor McGovern-Pa

Simon Dodd

MR M.H.Faiz

Martin Pierce I don't think that's possible to predict.

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks Increasing the notice period for early return from maternity leave will increase the pressure on women at a time when they should be able to focus on their new baby and on their own recovery from the birth. Many women will find it difficult to plan their arrangements for return to work 16 weeks in advance, as they will need to finalise childcare and resolve flexible working arrangements. This unnecessary pressure is likely to result in more women resigning their jobs during maternity leave.

Julie Barclay

Ross Welland

Clr. Nigel Jones

Sharon Bowden

Rob Pickering

Gerald Avison Who knows

Eric Feltn

Matthew Walsh It will suggest a 16 week minimum leave.

Allan Wakefield

Graham Shelton See above

george roussopoulo

Debbie Bullock I dont think it will work, its too far advanced to comit realistically too.

David Goodall

Chris Lucas Negative effect

Julian Huppert

Joan Finch

Alastair Macpherson

Fiona Bell Would women who do not intend to have a long maternity leave find themselves needing to give notice immediately before or shortly after birth? (Thinking of myself as I took just over 3 months maternity leave after the birth of my daughters so I would have had to give notice of a return as soon as I gave birth).

Deire MacGinley Don't do it, it's exploitative

E J Stacey Most plan ahead anyway.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeysundera Do not introduce these changes

William Jones no comment

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart Subject to individual employee needs employment of female staff is complicated but if they are of value to the company then to make their life more complicated than it already is does not bode well for retention and staff turnover will increase for little advantage.

Chris Williams

Thomas Miles They may take longer, because of not wanting to have to plan four months in advance of when they will want to come back. If they can afford to (which is questionable with the low maternity pay) they may find it easier to just stay off work for the maximum maternity leave period. Ultimately this will be of detriment to employers, who will be without an experienced, valued member of staff longer.

Matthew Lambert

Simon Banks No comment

chri smart

Claire Booker

Robert Heale

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross In effect a mother/parent will have to make these decisions 2/3 of the way through the leave. The lower the income bracket of the employee the more crucial this decision will be due to the potential loss of income by not returning when the SMP or MA ends

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell None, unless the parent was intending to return to work less than 16 weeks prior to the start of the leave.

Darren Newman It will probably encourage parents to take longer periods of leave.

Conor McGovern-Pa

Gev Pringle

Tracy Connell

Sixteen weeks is a long time for an employee decide if they are willing and able to return to work, and may be more inclined not to return at that stage than if they were to give only four weeks notice. An employer could therefore lose a valuable member of staff for no reason and at the detriment of the company.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis

None at all since most mothers know exactly how long they plan to take before they begin their leave, and are prepared to signal this.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines

It is difficult to tell how much leave is necessary for any individual parent. Good employers and employees stay in touch anyway.

Peter Stevens

karl meyer

Bob Browning

David Evans

Charles West

Allan Boyd

Andrew Toyne

That's four months, more than a season! How do you expect people to plan that far in advance?

Naomi

asdjkl;

Mark Inskip

David Ord            it will ensure that they take the full time off even if they want to go back. This will be an unnecessary charge on employers.

Suzanne Fletcher

Richard Fagence

David Becket        No comment

trevor snaith

Lois Norton

Richard East

Gareth Epps        N/A

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom        None, it simply requires them to give more notice.

Katharina Draisbach

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling    No idea.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe        No impact.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page            -

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSON

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood No idea.

Graham Phillips There does not automatically have to be an effect on the length of maternity leave that mothers take, or on adoption leave that parents take.

Sheryl Waterhouse Individuals may feel more pressured to come back to work early before they are ready. It may also be too early for the individual to make a decision on whether they want to return to work part-time/ full-time/ or at all.

Nick Barlow I do not know enough to comment.

David Edwards

Candace Kendall

Sue Bollom Don't know

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago They could well end up taking longer if they "miss" the window to give notice to return early. This does seem a great shame for parents who would choose to return to work before the end of the period but who are prevented from doing so by an overly restrictive notice provision.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO

Iolanda Carneiro

David Jobson

Rona Miller not a lot

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw



Anna Dubert	
Paul Wild	cause all sorts of problems
George Potter	
Gemma Roulston	
Fiona White	
Mark Widdop	
Helen Rowe	
David Chaplin	None
William Jones	
Joanne Green	Mothers and adoption-leave persons will make the decision to either return early or to leave.
Paul Clarke	
Andrea Jones	
Lola Kiss	
Simon Charters	
Nicholas D Hart	See above.
J. Janus	
peter hough	
David Winton	
Pauline Wilkes	
Aaron Hussey	
Derek Scott	
Alexandra MvAdam	Not sure and not thought out.
Fiona Reid	
Alexandra McAdam	
Graeme Taylor	
Brian Berry	It may mean mothers or those taking time off for adoption are off the maximum amount of time due to the 16 week requirement.
xx	
Professor Deborah L	
john murphy	
Carol Tricks	
Steve Parfett	N/a
Tracy Connell	
Jon Robinson	
Doug Shaw	

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards Little or none

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon Don't know

Roger Chater It might extend it.

Craig Edmondson

Dale Sinclair

Niki Rosenbaum None. I cannot see what this proposal will acheive.

Neil Jones

Graeme Dickson Will have a mixed effect

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale It's likely to increase it, increasing the costs of the company to cover that role

Flora Jafarzade

# Employee owner online consultation

## Question 16 a and b

- d
- a.
  - b.

Catherine Shepherd a.

- b. We do not think the restriction of the right to request flexible working to a period of 4 weeks on return from a period of parental leave will have any significant impact and accordingly we do not propose to comment in any detail on the proposed period of 4 weeks in which to make a request. In view of the scope of discrimination law and the implied term of trust and confidence, we consider that in most cases an employer will be under a duty to consider a request for flexible working from any employee, including an employee-owner. In any event, an employer wishing to preserve employee relations would be well advised to give any request for flexible working serious consideration. From our experience, we do not consider that in start-up businesses and small businesses, the making of a flexible working request is something that would be necessarily resisted or deemed detrimental by an employer – and indeed, many businesses thrive on home-working, job-sharing and allowing working outside of non-core hours to retain talent and save costs. Essentially, the statutory right that an employee-owner will be forfeiting in relation to flexible working is really the right for their request to be dealt with in accordance with a statutory timetable and a right for limited compensation where there is a breach of that timetable.

David Erdal

- a.
- b.

David Hole

- a.
- b.

Bruce Hanton

- a.
- b.

Phil Bagnall

- a.
- b.

Mary Leeds

- a.
- b.

Brian Ronald

- a.
- b.

Indie Kaur

- a.
- b.

Carl Nichols

- a.
- b.

Roland Bell

- a. Yes
- b.

Jamie Rowe

- a. Yes
- b. I ticked yes, but i dont really know, it would depend on the person in question,

- Daran Brown
- a.
  - b. Not sure
- Steve Collington
- a. Yes
  - b. Why is the no emphasised? A longer period would cause issues for premature births. Most competent employers can recognise pregnancy and act accordingly.
- Rachel Evans
- a. Yes
  - b.
- Merrie Mannassi
- a. Yes
  - b.
- Jonathan Holden
- a.
  - b.
- Rob Hill
- a.
  - b.
- David Eastham
- a. NO
  - b. Often the problems that may arise which result in a request for flexibility take longer to emerge than 4 weeks. This is an unnecessary provision and on the whole is actually tending towards the gratuitously vindictive.
- Martin Ward
- a.
  - b. No comment.
- Prateek Buch
- a.
  - b.
- C Austen
- a.
  - b.
- Cornelia East
- a.
  - b.
- Laurence Ross
- a. NO
  - b. There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.
- Laura Josh
- a.
  - b.
- Laura Josh
- a.
  - b.
- Tracy Winter
- a. Yes
  - b.

- Andrew OCallaghan a.  
b.
- Mark Blackburn a. Yes  
b. About right.
- Ben Harding a.  
b.
- DAVID HOSSACK a. NO  
b. We think this period is too short from the perspective of both employee and employer. We do not think four weeks is long enough to allow the employer to make an assessment of what an appropriate arrangement for flexible working would be. It may also not be enough time for an employee to return to their pre-parental leave level of productivity and therefore for the employer to assess whether flexible working is acceptable. From an employee's point of view, four weeks may not be enough time to assess whether flexible working is necessary or appropriate in their personal circumstances.
- Mark Lancaster a.  
b.
- Andrew Harrison a.  
b.
- Sally Stone a.  
b.
- Nichola Smith a.  
b.
- Nicola Mullineux a. Yes  
b.
- Rob Pinniger a. Yes  
b.
- Geoff Caesar a.  
b.
- Claire Campbell a. NO  
b.
- Will Winch a. NO  
b. Four weeks is unlikely to give employees sufficient time to formulate a view as to whether the existing arrangements (balancing childcare and work) are effective. While 4 weeks is the trial period in redundancy situations, we believe that an employee returning from maternity leave is in very different situation from one merely trying out a new role.
- Billy Tonner a.  
b.

- Ken Worthing a.  
b.
- Martin Fletcher a. NO  
b. 16 weeks is the right period - leave it alone.
- . a.  
b.
- Peter Reisdorf a.  
b.
- Chris Fox a. NO  
b.
- ndougherty a.  
b.
- Zoe Martin a.  
b.
- Campbell Ritchie a.  
b.
- Jean Evans a. Yes  
b.
- Karen Ordoyno a.  
b.
- Roger Englefield a. Yes  
b.
- David James Portmo a.  
b.
- Greg Webb a. Yes  
b.
- Peter Hayes a.  
b.
- Richard Sealy a.  
b.
- Robert Carruthers a. Yes  
b.

- Martin Tod
- a.
  - b.
- Conor McGovern-Pa
- a.
  - b.
- Simon Dodd
- a.
  - b.
- MR M.H.Faiz
- a.
  - b.
- Martin Pierce
- a. NO
  - b. I think the rules should be the same for all employees and would be against varying it (reducing employees' rights) in return for shares
- Lisa Macpherson
- a.
  - b.
- Anne
- a.
  - b.
- Guy Remond
- a.
  - b.
- roger englefield
- a.
  - b.
- Andy Davies
- a.
  - b.
- Samantha Jinks
- a. NO
  - b. Flexible working arrangements are a fundamental employment right. These should not be reduced in any employment contract. It seems unlikely that the new contracts will be used by ethical employers.
- Julie Barclay
- a.
  - b.
- Ross Welland
- a.
  - b.
- Cllr. Nigel Jones
- a.
  - b.
- Sharon Bowden
- a.
  - b.
- Rob Pickering
- a.
  - b.

- Gerald Avison a.  
b. 4 weeks for what?
- Eric Feltin a.  
b.
- Matthew Walsh a. NO  
b. i don't think there should be a mandated period - it should be possible for the employee and employer to negotiate effectively and honestly.
- Allan Wakefield a.  
b.
- Graham Shelton a. Yes  
b.
- george roussopoulo a.  
b.
- Debbie Bullock a. Yes  
b. its realistic.
- David Goodall a.  
b.
- Chris Lucas a. Yes  
b.
- Julian Huppert a.  
b.
- Joan Finch a.  
b.
- Alastair Macpherson a.  
b.
- Fiona Bell a.  
b.
- Deire MacGinley a. Yes  
b.
- E J Stacey a. Yes  
b.
- Miss Grant a.  
b.



- Keir Fuller
- a.
  - b.
- Gill Phipps
- a.
  - b.
- Janet Abeysundera
- a. Yes
  - b. Why is the word 'no' in capital letters - to make more people tick that box?
- William Jones
- a. NO
  - b. no comment
- Ivan Morley
- a.
  - b.
- Richard Broadbent
- a.
  - b.
- Isobel Hooper
- a.
  - b.
- Nick Tambllyn
- a.
  - b.
- chris smart
- a.
  - b.
- Chris Williams
- a.
  - b.
- Thomas Miles
- a. Yes
  - b. This seems fine, although the principle itself seems to fly in the face of the government's intention to extend flexible working, which does indeed carry real benefits. The gov also seems to be assuming that employees will have a vested interest - this will surely only apply if they stand to gain from an increase in the share price or if they have shares that pay a decent amount of dividends. If employees are restricted on who/when they can sell the shares, or if dividends are low, where is the vested interest?
- Matthew Lambert
- a.
  - b.
- Simon Banks
- a.
  - b. No comment
- chri smart
- a.
  - b.
- Claire Booker
- a.
  - b.

- Robert Heale a. NO  
b.
- Trevor a.  
b.
- Ash Dorey a.  
b.
- Rory Roberson a.  
b.
- Louise Farrell a.  
b.
- Glenn Andrews a.  
b.
- Bev Cross a. Yes  
b. Possibly. We may have to wait and see.
- Jordan Clough a.  
b.
- Nicolette Rattle a.  
b.
- Rob Prowse a.  
b.
- Elaine Woodard a.  
b.
- m taylor a.  
b.
- James Moore a.  
b.
- David Poole a.  
b.
- Roland Bell a. Yes  
b.
- Darren Newman a. NO  
b. It makes no difference what period is allowed. The real driver for flexible working is the potential for indirect discrimination claims, these will not be limited by any artificial limitation on making a request.

Conor McGovern-Pa a.  
b.

Gev Pringle a.  
b.

Tracy Connell a. Yes  
b.

Paul Clarke a.  
b.

Gary McKenna a.  
b.

Robert Hutchison a.  
b.

John Ball a.  
b.

Steve Comer a.  
b.

Freya Copley-Mills a.  
b.

cynthia james a.  
b.

Laura Binnie a.  
b.

John Harnedy a.  
b.

P Edwards a.  
b.

Melanie Davis a.  
b. ?

Gareth Epps a.  
b.

Lorna Farrant a.  
b.

tanya barman	a.
	b.
Ada Benson	a.
	b.
Matthew Swallow	a.
	b.
Tim Chudley	a.
	b.
James Blessing	a.
	b.
Kevin Slevin	a.
	b.
Julia Hines	a.
	b.
Peter Stevens	a.
	b.
karl meyer	a.
	b.
Bob Browning	a.
	b.
David Evans	a.
	b.
Charles West	a.
	b.
Allan Boyd	a.
	b.
Andrew Teye	a. NO
	b.
Naomi	a. Yes
	b.
asdjkl;	a.
	b.

- Mark Inskip a.  
b.
- David Ord a.  
b. Don't know
- Suzanne Fletcher a.  
b.
- Richard Fagence a.  
b.
- David Becket a. NO  
b. The whole proposal is to the disadvantage of employees,
- trevor snaith a. NO  
b.
- Lois Norton a.  
b.
- Richard East a.  
b.
- Gareth Epps a.  
b. N/A
- Scott Rober Wilson a.  
b.
- Kirsty Horne a.  
b.
- katie howe a.  
b.
- Daniel Groom a. Yes  
b. Assuming this refers to the length of compulsory maternity leave, which is far from clear, it seems to me that a shorter period risks return to work being too early. This would have negative effects on both employer and employee, for instance in the case of a person returning to work early because of financial pressure, and causing disruption and/or working at a reduced level of competence. A longer mandatory period has the potential to ensure the employee is fully fit and wiser to return to work
- Katharina Draisbach a.  
b.
- Rachel Prince a.  
b.

- Simon Tucker a.  
b.
- Lucy Hodge a.  
b.
- Emma Watts a.  
b.
- Maria Pretzler a.  
b.
- Daniel Henry a.  
b.
- Christopher Pelling a.  
b. No view.
- Chris Lovell a.  
b.
- Maria Pretzler a.  
b.
- Martin Tod a.  
b.
- Peter Howe a. NO  
b. This is one of the worst aspects of the proposal. It forces parents to commit early to flexible working, when they may not need it, rather than seeing how they can cope. It is likely to encourage more people to give notice of flexible working.
- Gavin Greig a.  
b.
- Paul Whittle a.  
b.
- Dr D L Clements a.  
b.
- S. Page a. NO  
b. Not all issues are evident within 4 weeks.
- Dave Harris a.  
b.
- David Hunt a.  
b.

- Roger Winter      a.  
                                 b.
- Sara                      a.  
                                 b.
- LINDA WILKINSON   a.  
                                 b.
- Peter Catterall        a.  
                                 b.
- Cllr Richard Smith   a.  
                                 b.
- Julia                     a.  
                                 b.
- Gareth Loveridge    a.  
                                 b.
- Sarah Haywood        a.  
                                 b. It's a balance. Longer is easier, but harder for the notice giver to be realistic. I would go for 8 weeks as the best balance.
- Graham Phillips       a.  
                                 b. I am unconvinced about this proposal related to flexible working in principle. As paragraph 43 states "Flexible working is beneficial for employers and employees". It does not seem sensible to change the legislative rights to request flexible working.
- Sheryl Waterhouse   a. Yes  
                                 b. This gives sufficient time for employers to prepare for staff returning to work and it allows enough time for employees to be certain of their decision. A shorter period benefits employers as employees are more likely to stick with what they have promised when they have had enough time to think about it and it is near to when they are due back at work.
- Nick Barlow            a. NO  
                                 b. They should have the same right as anyone else. Or is this country now being run for the benefit of companies rather than people?
- David Edwards        a.  
                                 b.
- Candace Kendall       a.  
                                 b.
- Sue Bollom             a.  
                                 b.
- qwer                     a.  
                                 b.

Tom Roberts	a.
	b.
David Daws	a.
	b.
Peter Shouksmith	a.
	b.
Karen Teago	a. Yes
	b.
Charlotte Puttock	a.
	b.
James Hackett	a.
	b.
Jane Edsell	a.
	b.
Rod Dowler	a.
	b.
Gemma Brown	a.
	b.
Shona McCulloch	a.
	b.
Alan Lewis	a.
	b.
CLIVE B. JOHNSO	a.
	b.
Iolanda Carneiro	a.
	b.
David Jobson	a.
	b.
Rona Miller	a.
	b.
Helga Janzen	a.
	b.



Andrew Harrison	a.
	b.
Yvonne	a.
	b.
Chris Whitmore	a.
	b.
Nzube Ufodike	a.
	b.
Giles Robertson	a.
	b.
Alex Wasyliw	a.
	b.
Anna Dubert	a.
	b.
Paul Wild	a. NO
	b.
George Potter	a. NO
	b.
Gemma Roulston	a.
	b.
Fiona White	a.
	b.
Mark Widdop	a.
	b.
Helen Rowe	a.
	b.
David Chaplin	a. NO
	b.
William Jones	a.
	b.
Joanne Green	a. Yes
	b.

Paul Clarke	a.
	b.
Andrea Jones	a.
	b.
Lola Kiss	a.
	b.
Simon Charters	a.
	b.
Nicholas D Hart	a.
	b. Unable to comment
J. Janus	a.
	b.
peter hough	a.
	b.
David Winton	a.
	b.
Pauline Wilkes	a.
	b.
Aaron Hussey	a.
	b.
Derek Scott	a.
	b.
Alexandra MvAdam	a. NO
	b. Shorter.
Fiona Reid	a.
	b.
Alexandra McAdam	a.
	b.
Graeme Taylor	a.
	b.
Brian Berry	a. NO
	b. I believe 4 weeks is too long and feel 2 weeks is proper.

- xx
  - a.
  - b.
  
- Professor Deborah L.
  - a.
  - b.
  
- john murphy
  - a.
  - b.
  
- Carol Tricks
  - a.
  - b.
  
- Steve Parfett
  - a.
  - b.
  
- Tracy Connell
  - a.
  - b.
  
- Jon Robinson
  - a.
  - b.
  
- Doug Shaw
  - a.
  - b.
  
- jeremy tobias-tarsh
  - a.
  - b.
  
- Fiona Aldridge
  - a.
  - b.
  
- simon garbett
  - a.
  - b.
  
- Belinda McIntosh
  - a.
  - b.
  
- Robert Edwards
  - a.
  - b. I don't think this is a significant change
  
- anita monteith
  - a.
  - b.
  
- Kevin Aggett
  - a.
  - b.
  
- Tim Lloyd
  - a.
  - b.

- Fiona Bell
- a.
  - b.
- Anon
- a.
  - b. Don't know
- Roger Chater
- a.
  - b.
- Craig Edmondson
- a.
  - b.
- Dale Sinclair
- a.
  - b.
- Niki Rosenbaum
- a. NO
  - b. People may feel presured to return before they feel ready.
- Neil Jones
- a.
  - b.
- Graeme Dickson
- a. NO
  - b. 8 weeks would be fair
- Daniel Sear
- a.
  - b.
- Della Thomas
- a.
  - b.
- Chris Devine
- a.
  - b.
- J Mackenzie
- a.
  - b.
- Matthew Bleasdale
- a. NO
  - b. If the 4 week period is associated to teh date of return that could cause a problem: Paid paternity leave is 2 weeks, 4 weeks after returning the baby is only 6 weeks old, in the case that the baby has colic (which can last for months) there is no opportunity to assess the need for flexible working. If the 4 weeks is associated with the 18 weeks unpaid leave period then the total is 22 weeks, during which it would be feasible for a routine to have been established which could identify the need for flexible working
- Flora Jafarzade
- a.
  - b.

# Employee owner online consultation

## Question 17

d

Catherine Shepher As legal advisers we have received a minimal number of requests for advice on the statutory right to take time off for training. This right is only available in any event to companies with in excess of 250 employees and who tend to offer sophisticated internal training programmes. We do not therefore consider that the removal of this right will have a significant impact. Should the right to take time off for training be extended in the future to small businesses (and whom this new status of employee-owner is stated to be principally aimed at) then our response may be different but we are not aware of any Government plans to do so.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell Don't see any rationale for explicitly limiting the ability of employee owners to access support for training. If an employee needs training that will benefit the business then provide the necessary support - obvious!

Jamie Rowe no idea sorry

Daran Brown Not sure

Steve Collington Eliminates time to train provision. A bad thing as skilled workforces tend to be more productive...

Rachel Evans

Merrie Mannassi No idea

Jonathan Holden

Rob Hill

David Eastham It could in some situations be problematic if the right to request training is removed. If this right only exists in enterprises of over 250 employees anyway what is the problem?. What are the statistics of tribunals over this matter anyway? Nothing is presented as indicating any problems in the consultation document. So why do it?. This is ideology over evidence gone mad.

Martin Ward No comment.

Prateek Buch

C Austen

Cornelia East

Laurence Ross There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Laura Josh

Laura Josh

Tracy Winter	Depends on the business. Many businesses invest in their employees as it is a clear benefit to have well trained and committed staff.
Andrew OCallagha	
Mark Blackburn	Could make it more challenging
Ben Harding	
DAVID HOSSACK	We think the proposal would have very little impact in this respect.
Mark Lancaster	
Andrew Harrison	
Sally Stone	
Nichola Smith	
Nicola Mullineux	We think the impact will be minimal because take up of this employee right is not extensive. The fact that the current right is only available to employees in organisations of 250 or more employees narrows down impact even further.
Rob Pinniger	Given that the point of this employee status is to create a class of employee that can be sacked more easily, employers would be much less likely to invest in training for these people.
Geoff Caesar	
Claire Campbell	
Will Winch	We believe that it may make employee owners less likely to apply for training. We would be surprised, however, if the current statutory entitlement was often exercised by employees in any event and question the extent to which it creates a regulatory burden on business.
Billy Tonner	Employee "owners" (which of course we all know they are not) will quickly expect more favourable treatment at all levels, including training. This will mean that other employees will see themselves as being treated less favourably. And you know what that means.
Ken Worthing	
Martin Fletcher	
.	
Peter Reisdorf	
Chris Fox	This does not affect our organisation and we have no experience of people demanding the right to training.
ndougherty	
Zoe Martin	
Campbell Ritchie	
Jean Evans	A deleterious impact.
Karen Ordoyno	
Roger Englefield	No effect within enlightened companies who would wish to train their individuals anyway.
David James Port	
Greg Webb	In a well-run company, it shouldn't make any difference. The owner who wishes to leave his staff insufficiently skilled for their professional challenges because he is afraid they will leave his employment is harming his company more than his staff. Existing contractual arrangements for the clawback of training costs in the event of early departure after training are quite adequate.
Peter Hayes	
Richard Sealy	

Robert Carruthers	I think it could reduce it, since they will be less inclined to request it.
Martin Tod	
Conor McGovern-P	
Simon Dodd	
MR M.H.Faiz	
Martin Pierce	I don't think that's possible to estimate
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	Flexible working arrangements are a fundamental employment right. These should not be reduced in any employment contract. It seems unlikely that the new contracts will be used by ethical employers.
Julie Barclay	
Ross Welland	
Cllr. Nigel Jones	
Sharon Bowden	
Rob Pickering	
Gerald Avison	I don't see the link
Eric Feltn	
Matthew Walsh	It seems to suggest a watering down of an employee to access many things - training will surely come into to?
Allan Wakefield	
Graham Shelton	No idea
george roussopoul	
Debbie Bullock	Just dont think it will happen.
David Goodall	
Chris Lucas	None.
Julian Huppert	
Joan Finch	
Alastair Macpherso	
Fiona Bell	
Deire MacGinley	Limit it
E J Stacey	It will probably have a negative impact. They may feel they are above training requests.
Miss Grant	
Keir Fuller	

Gill Phipps

Janet Abeysundera Do not introduce these changes

William Jones The responsibility would not be on ourselves. But employees could be informed that they need specific training to enable them to continue in their employment. It would then be the employees responsibility to make provision for that training.

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart negatively. Good employers would continue training in their own interest but bad employers would deny access. Long term this would impact negatively on the success of the company

Chris Williams

Thomas Miles Probably not much. If the employee has to rely on a legal right for training then the employer clearly isn't that interested in training and development.

Matthew Lambert

Simon Banks That would depend on the rules of training providers - except that decisions to devote company resources to training might be more favourably viewed if the training was such which could potentially benefit a high proportion of employee owners and was comprehensible to them. Very specialist training, for example of someone disabled to use specialist equipment, might suffer.

chri smart

Claire Booker

Robert Heale

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross If they don't have to provide training, why should they need to access support?

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell It provides no incentives for businesses to invest in their employees.

Darren Newman None whatsoever, the right to make a training request is of no consequence in any event. You could abolish it altogether and it would make next to no difference

Conor McGovern-P



Gev Pringle

Tracy Connell

This proposal obviously prevents them from requesting training. However, I do not see the point in this as providing training is at the discretion of the employer anyway.  
[http://www.adviceguide.org.uk/england/work\\_e/work\\_rights\\_at\\_work\\_e/basic\\_rights\\_at\\_work.htm#Rights\\_at\\_work](http://www.adviceguide.org.uk/england/work_e/work_rights_at_work_e/basic_rights_at_work.htm#Rights_at_work) Though your paper makes it sound like they can be dismissed BECAUSE they ask for training: "It would also not be automatically unfair to dismiss someone for having made certain requests for time to train.." Same goes for the request for flexible working. It is at the employers discretion anyway and it sounds like you can fire them because they ask for it: "Under our proposal, it would not, however, be automatically unfair for an employer to dismiss an employee who requested flexible working..."

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines

Peter Stevens

karl meyer

Bob Browning

David Evans

Charles West

Allan Boyd

Andrew Toye

Since they have surrendered their rights, training opportunities may also be limited. However if employees own the majority they can do what they like with the company

Naomi

If the company isn't going to pay for training, it's unlikely the individual will. If a business asks "why should we invest money in training staff and then they leave?" then I usually answer, "What if you don't invest in training them and they stay?".

asdjkl;

Mark Inskip

David Ord                   None. good employers will give the right training bad ones won't.

Suzanne Fletcher

Richard Fagence

David Becket               Negative, the workforce will become more unstable which will have a negative effect on access for training.

trevor snaith

Lois Norton

Richard East

Gareth Epps               Probably negative, as the creation of two sorts of employee status will create barriers, entirely unnecessarily.

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom               Essentially none, though the exposure to greater personal financial risk is likely to reduce the employee-owner's opportunity for self-improvement, as the employee-owner will likely have less time and attention to reserves for such things than either a full employee or a full owner. Again, this reduces the scope for innovation and the likelihood of new start-ups being created.

Katharina Draisbac

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling       It depends on how the legislation is framed, and other developments are likely to have a big impact on this anyway.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe                It will reduce workforce training.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page                    In ethical companies I would hope it would not change. In less ethical companies I expect access support for training to be less available.

Dave Harris

None.

David Hunt

Roger Winter

Sara

LINDA WILKINSO

..

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood It will probably make it harder.

Graham Phillips There may well be only limited impact, in practice, on the prospect of accessing support for training.

Sheryl Waterhouse They probably wouldn't bother as their employers are actively discouraging them to take up training by limiting flexibility. This would disadvantage employers in the long run as they would have staff who are not trained appropriately or employers would miss out on the benefits of having a highly trained workforce.

Nick Barlow It would weaken it.

David Edwards

Candace Kendall

Sue Bollom

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago This depends on a company's culture - the proposal will make little difference in my view.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO

..

Iolanda Carneiro

David Jobson

Rona Miller not a lot

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore	
Nzube Ufodike	
Giles Robertson	
Alex Wasyliw	
Anna Dubert	
Paul Wild	mess everything up
George Potter	It would severely restrict their ability to access support for training.
Gemma Roulston	
Fiona White	It would be detrimental.
Mark Widdop	
Helen Rowe	
David Chaplin	None
William Jones	
Joanne Green	Employee Owners would need to make arrangements in their own time and at their own expense therefore it may reduce access support training unless the government makes provision for it, for example Mandatory Training for Employee Owners.
Paul Clarke	
Andrea Jones	
Lola Kiss	
Simon Charters	
Nicholas D Hart	Unable to comment
J. Janus	
peter hough	
David Winton	
Pauline Wilkes	
Aaron Hussey	
Derek Scott	
Alexandra MvAdam	It will be detrimental and in a country where knowledge is the one major exporter and driver in many fields it would negatively impact the whole UK economy.
Fiona Reid	
Alexandra McAdam	
Graeme Taylor	
Brian Berry	The
xx	
Professor Deborah	
john murphy	

Carol Tricks

Steve Parfett

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards Little, a good employer will ensure that their staff are adequately trained to perform the roles they are employed for - otherwise they have a sub standard workforce.

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon Well they won't be able to request it, so obviously a negative impact.

Roger Chater Nil

Craig Edmondson

Dale Sinclair

Niki Rosenbaum Employers could argue they have no obligation to pay for training if an individual is technically a shareholder.

Neil Jones

Graeme Dickson reduce it which could harm the development of the business

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale Overall it would reduce the access to training. In general the level of training available would remain the same, however the level of requests for training may well reduce due to employees not being empowered to request it (unless there is 50% of the votes in shareholder meetings reserved for the employee/owners). In certain cases the level of training available would be reduced by the employer, leading to a lower skilled workforce and additional costs and a low growth scenario for the state

Flora Jafarzade

# Employee owner online consultation

## Question 18

d

Catherine Shepher We are not responding to this question.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell A good thing, but then as ALL the employee share options and their tax advantages are already available without negatively amending employee rights the question must be why companies are not rushing to use the existing arrangements.

Jamie Rowe ...not fully informed on this, but i would think that it would require legislative change?

Daran Brown I don't understand the question

Steve Collington None.

Rachel Evans

Merrie Mannassi So you are just going to leave companies to sort out their own problems with Articles of Association!!! e.g. adding in drag along/tag along clauses, who they can sell the shares to - i.e. only back to the company.

Jonathan Holden

Rob Hill

David Eastham None. As is stated this aspect will be covered by a another, more general consultation

Martin Ward No comment.

Prateek Buch

C Austen

Cornelia East

Laurence Ross There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the emplo

Laura Josh

Laura Josh

Tracy Winter

Andrew OCallagha

Mark Blackburn It shouldn't even be a proposal let alone enshrined in law, if conditions apply

Ben Harding

DAVID HOSSACK Having had a limited time to consider the proposal, we do not believe the proposals would require any specific changes to company law. However as a general comment, we have some reservations about how neatly the proposal can fit in with existing corporate

Mark Lancaster

Andrew Harrison There will need to be some provision to deal with the buy back of employee's shares. As it stands there is nothing that forces a Company to purchase shares when employment ceases.

Sally Stone

Nichola Smith

Nicola Mullineux No response provided

Rob Pinniger There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the emplo

Geoff Caesar

Claire Campbell

Will Winch We consider that this may be a financial promotion and potentially caught by the provisions of section 21 of the Financial Services and Markets Act 2000. In order to reduce the potential of shareholder disputes arising, the government may need to revisit

Billy Tonner

Ken Worthing

Martin Fletcher

.

Peter Reisdorf

Chris Fox No comment

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans Don't know enough about it.

Karen Ordoyno

Roger Englefield Providing the legislation is clear and transparent and the Government's reasons for not changing company law, no problem.

David James Port

Greg Webb

Peter Hayes

Richard Sealy

Robert Carruthers No.

Martin Tod

Conor McGovern-P

Simon Dodd

MR M.H.Faiz

Martin Pierce

I don't know what the impact is of not amending company law - I just think the whole idea is wrong and flawed. It will make life yet more complicated for everyone, is quite likely to result in additional admin costs and probably just a different sort of

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks

Julie Barclay

Ross Welland

Cllr. Nigel Jones

Sharon Bowden

Rob Pickering

Gerald Avison

We would not contemplate implementing this crazy proposal

Eric Feltn

Matthew Walsh

I agree that leaving company law as it is is a good idea.

Allan Wakefield

Graham Shelton

The government needs to amend its whole approach to business which it appears not to understand.

george roussopoul

Debbie Bullock

needs guidance.

David Goodall

Chris Lucas

Julian Huppert

Joan Finch

Alastair Macpherso

There will have to be some legislation to protect the employee shareholders, eg to prevent directors siphoning off profits as directors remuneration

Fiona Bell

See comments for Question 6 and the doubt expressed whether an arrangement for a single employee owner could ever fall within the section 1166 Companies Act definition of employees' share scheme. Some change would be required. Note that this definition is

Deire MacGinley

E J Stacey

The Government needs to simplify the rules as suggested by Nuttall before introducing this. Carts and horses stuff.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeyundera

Do not introduce these changes



William Jones	It is an interesting proposal. But seems to be gimmick given that existing structures can work with some amendment. E.g., provision of full employment rights after 18 months instead of 12 for start up companies only. It is welcomed that startup compani
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	
Chris Williams	
Thomas Miles	no knowledge.
Matthew Lambert	
Simon Banks	No.
chri smart	
Claire Booker	
Robert Heale	
Trevor	
Ash Dorey	
Rory Roberson	
Louise Farrell	
Glenn Andrews	
Bev Cross	What is the possibility that a company can inadvertently find itself in breach of company law relating to share dealings etc?
Jordan Clough	
Nicolette Rattle	
Rob Prowse	
Elaine Woodard	
m taylor	
James Moore	
David Poole	
Roland Bell	The fact that company law isn't being changed and that the expectation is that companies would use the existing employee share scheme's available under existing Company law, once again shows that these proposals are really about reducing employee rights r
Darren Newman	No
Conor McGovern-P	
Gev Pringle	
Tracy Connell	I think it is irresponsible and perhaps a money saving issue for the government to avoid more red tape in implementing the employee owner proposal.
Paul Clarke	

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis

This proposal has serious consequences for employees and it would be irresponsible to implement them.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines

Peter Stevens

karl meyer

Bob Browning

David Evans

Charles West

Allan Boyd

Andrew Toye

Do not under any circumstances make an employment offer conditional upon surrendering employment rights

Naomi

asdjkl;

Mark Inskip

David Ord

no

Suzanne Fletcher

Richard Fagence

David Becket

At this stage I have looked at the rest of the consultation. It is all slanted on the effect on the employer with no consideration given to the employee. It is disconnected with Nuttall and making no amendment in company law is showing a disregard for em

trevor snaith	Disgusting tory tactics
Lois Norton	
Richard East	
Gareth Epps	N/A
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	No.
Katharina Draisbac	
Rachel Prince	
Simon Tucker	
Lucy Hodge	
Emma Watts	
Maria Pretzler	
Daniel Henry	
Christopher Pelling	Any intention of the Government not to amend existing laws and protections is to be applauded.
Chris Lovell	
Maria Pretzler	
Martin Tod	
Peter Howe	No.
Gavin Greig	
Paul Whittle	
Dr D L Clements	
S. Page	This is morally wrong.
Dave Harris	
David Hunt	
Roger Winter	
Sara	
LINDA WILKINSO	
Peter Catterall	
Clr Richard Smith	
Julia	
Gareth Loveridge	
Sarah Haywood	

Graham Phillips	No comment.
Sheryl Waterhouse	N/A
Nick Barlow	I do not know enough to comment.
David Edwards	
Candace Kendall	
Sue Bollom	Surely, not legal then?
qwer	
Tom Roberts	
David Daws	
Peter Shouksmith	
Karen Teago	No - I am not qualified to comment on this.
Charotte Puttock	
James Hackett	
Jane Edsell	
Rod Dowler	
Gemma Brown	
Shona McCulloch	
Alan Lewis	
CLIVE B. JOHNSO	
..	
Iolanda Carneiro	
David Jobson	
Rona Miller	yes - don't do it, its not worth it and far more effort should be made to encourage good practice
Helga Janzen	
Andrew Harrison	
Yvonne	
Chris Whitmore	
Nzube Ufodike	
Giles Robertson	
Alex Wasyliw	
Anna Dubert	
Paul Wild	Just dont do it
George Potter	No.
Gemma Roulston	
Fiona White	No

Mark Widdop	Not amending the law will leave open a minefield of legal challenges that will require clarification as the scheme beds down, this will add administrative overheads onto small, and start up businesses.
Helen Rowe	
David Chaplin	That is the about the only half sensible suggestion in this consultation.
William Jones	
Joanne Green	It is a good idea, I agree with the decision.
Paul Clarke	
Andrea Jones	
Lola Kiss	
Simon Charters	
Nicholas D Hart	No - i agree no change is needed.
J. Janus	
peter hough	
David Winton	
Pauline Wilkes	
Aaron Hussey	
Derek Scott	
Alexandra MvAdam	None.
Fiona Reid	
Alexandra McAdam	
Graeme Taylor	
Brian Berry	no
xx	
Professor Deborah	
john murphy	
Carol Tricks	
Steve Parfett	
Tracy Connell	
Jon Robinson	
Doug Shaw	
jeremy tobias-tarsh	
Fiona Aldridge	
simon garbett	
Belinda McIntosh	
Robert Edwards	The impact on listed companies should be considered, especially regarding voting rights and matters like attending AGMs. Should employee owners be given paid time off to attend shareholder meetings?

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon No

Roger Chater No

Craig Edmondson

Dale Sinclair

Niki Rosenbaum It indicates to me that the Govt doesn't believe this proposal is workable in the long term.

Neil Jones

Graeme Dickson Shares / share ownership by "employee owners" is a different class of share ownership. Company law may in its existing form allow sufficiently for it. I would suggest a new Table X for style articles so young businesses can avoid unnecessary legal expe

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale The transfer of shares by employee/owners on the open market (to materialise the capital growth) seems to affect their rights and the ability of the company to manage it's employee share scheme.

Flora Jafarzade

# Employee owner online consultation

## Question 19

d

Catherine Shepher We are not responding to this question.

David Erdal

David Hole

Bruce Hanton The only effective safeguard would be not to introduce the proposals

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell The scheme will be abused in exactly the same way as the UK tax system has and is being abused by multi-national companies and those individuals for which it is beneficial to have off-shore arrangements. The main areas for abuse are: 1. When banks and

Jamie Rowe increase the power of shareholders, binding votes, no forced buy back of shares, extra shares if sacked (instead of redundancy)

Daran Brown The proposal creates abuse. So don't implement the proposal

Steve Collington Existing protocols exist but actions taken by this Government seek to undermine them.

Rachel Evans e government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have.

Merrie Mannassi Anyone who wants this should have to be a UK national. Can you imagine what would happen if they disappeared abroad and the company is unable to contact them. In fact, they should have to be resident in the UK and would forfeit, with no payment, if the

Jonathan Holden

Rob Hill

David Eastham The only way of avoiding abuse, unless you are going to introduce yet some other inspectorate. Is to not proceed with these proposals.

Martin Ward No comment.

Prateek Buch

C Austen

Cornelia East

Laurence Ross There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the emplo

Laura Josh

Laura Josh

Tracy Winter

Andrew OCallagha

Mark Blackburn	Don't even do it in the first place! Then it can't be abused.
Ben Harding	
DAVID HOSSACK	No comment.
Mark Lancaster	
Andrew Harrison	See 22.
Sally Stone	
Nichola Smith	
Nicola Mullineux	The government needs to clarify whether the entitlement to make a claim for failure to inform and consult about a redundancy, or other redundancy related employment rights i.e. the right to time off to look for work or arrange training, will also be removed.
Rob Pinniger	Safeguard against the obvious abuses that would become commonplace under this system by not implementing it.
Geoff Caesar	
Claire Campbell	
Will Winch	
Billy Tonner	Introduce mandatory Works Councils. Make it an offence to fail to recognise a Trade Union when any member of staff requests this. Require the employer to insure the employee for the costs of independent legal advice in the event of a dispute. Establish a s
Ken Worthing	
Martin Fletcher	There are many opportunities for abuse. At the low-pay end, the shares will prove to be worthless. At the high pay end they will grow in value disproportionately - free of CGT. At the low-pay end employees will lose not only employment protection right
.	
Peter Reisdorf	
Chris Fox	Make none of the suggested changes. This just represents an opportunity for unscrupulous employers to abuse their employees (of whatever status). In addition, there is a danger that this scheme will be open to tax avoidance when shares are forfeited. Rece
ndougherty	
Zoe Martin	
Campbell Ritchie	
Jean Evans	Ditto
Karen Ordoyno	
Roger Englefield	Perhaps a cooling off period to allow the employee to change his mind if he opts for the new Employee Ownership Scheme.
David James Port	
Greg Webb	The key provisions for me would seem to be that shares created are meaningful rather than of a lower class without voting or dividend rights comparable to other shareholders, and that share values are independently and honestly assessed at time of disposa
Peter Hayes	
Richard Sealy	No company should be allowed to offer employee ownership as a mandatory condition of employment. I fail to see where the "voluntary principle" applies when a jobseeker has to choose between losing his/her employment rights on one hand and losing some or



Robert Carruthers	It will be very easy for employers to circumvent any safeguards as they have done with the working time directive. They will simply ask employees to sign up to this new status as a requirement for employment.
Martin Tod	
Conor McGovern-P	
Simon Dodd	
MR M.H.Faiz	
Martin Pierce	The best safeguards are the current employment protections! If you didn't try to make the system more complicated, or open up the potential for abuse (and it will undoubtedly happen), then you wouldn't need to try to find safeguards. Keep it simple!
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	
Julie Barclay	
Ross Welland	
Cllr. Nigel Jones	
Sharon Bowden	
Rob Pickering	
Gerald Avison	The Government should stop dreaming up ideas like this in the back of a taxi on a 5 minute ride.
Eric Feltn	
Matthew Walsh	The government should not introduce legislation that enables employees to waive rights.
Allan Wakefield	
Graham Shelton	Simplify!
george roussopoul	Essentially it should drop this proposal.
Debbie Bullock	They need to listen and take on board the legal advice from the specialists and those in the working world of employment.
David Goodall	
Chris Lucas	Do not link rights to shares.
Julian Huppert	
Joan Finch	
Alastair Macpherso	Prevention of manipulation of share price Prevention of diversion of profitable business to another company
Fiona Bell	Under this arrangement an employee owner might receive shares on which significant tax is paid at the outset. A change of ownership of the majority of the shares might then cause him/her to be ousted unfairly and the shares either become worthless due to
Deire MacGinley	Don't do it, it's exploitative

E J Stacey	no comment
Miss Grant	
Keir Fuller	
Gill Phipps	
Janet Abeysundera	Do not introduce these changes - they will be impossible to properly police - and you would need more public servants to police them.
William Jones	There needs to be a choice for employees - if applied to current employment in non-startup companies. Shares should be independently valued. Safeguards so that shares sold to employees do not lose value dramatically. Money for shares should be held by t
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblin	
chris smart	where do I start. Loss of rights for share ownership is bad for everyone. In the short term the employee will be the loser but long term the company and the country will be the bigger losers.
Chris Williams	
Thomas Miles	no knowledge
Matthew Lambert	
Simon Banks	See my answer to question 7.
chri smart	
Claire Booker	
Robert Heale	
Trevor	
Ash Dorey	
Rory Roberson	
Louise Farrell	
Glenn Andrews	
Bev Cross	Easy payment terms through e.g. agreed deductions from wages; a right for employees to challenge a manifestly unfair dismissal; a right for employees to recover payments for shares where the employer is insolvent in the same way as they can recover redund
Jordan Clough	
Nicolette Rattle	
Rob Prowse	
Elaine Woodard	
m taylor	
James Moore	
David Poole	
Roland Bell	Simple safeguard: just don't implement employee owner!

Darren Newman It is telling that the Government is concerned about minimising the possibility for abuse when it comes to tax, but there is no similar question aimed at limiting the possibility of abuse in relation to safeguarding the rights of employees

Conor McGovern-P

Gev Pringle

Tracy Connell RETAIN EMPLOYEE RIGHTS! This will minimise abuse by unscrupulous employers over fire at will. Make sure that shares are independently valued at BOTH distribution AND buyback to avoid over and under valuing.

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball It is essential for the scheme to be voluntary for all employees, and no pressure is placed on employees to take it up. This also applies to recruitment - it must not be a condition of employment that the potential employee agrees to join the scheme.

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis Abuse? Making me unemployable if I won't sign such a contract is a massive abuse of human rights. Prepare for High Court challenges....

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines

Peter Stevens

karl meyer Directors of companies must be excluded from these provisions to prevent them being able to acquire a capital gains tax advantage through the measures

Bob Browning

David Evans Stop tinkering with the rules

Charles West

Allan Boyd

Andrew Toyne All present safeguards should remain in place

Naomi

asdjkl;

Mark Inskip

David Ord            Make abuse of the opportunities a inprisonable offence

Suzanne Fletcher

Richard Fagence

David Becket        Scrap the idea is the only way to stop abuse

trevor snaith

Lois Norton

Richard East

Gareth Epps        To avoid creating what would become a tax avoidance scheme that would be a burden on the exchequer, if Government money is to be used, every pound spent should change behaviour, especially in a time of austerity. The proposal (the CGT holiday for the fir

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom        While I applaud the semi-professional attempt to steer this consultation into the territory of safeguards rather than any discussion of the policy's fitness as a whole, I fear that the only safeguards that could prevent abuse would make the proposal a not

Katharina Draisbac

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling    Vast ones, but the whole idea is so flawed that it is better to drop it now.

Chris Lovell

Maria Pretzler        One very serious concern is the question whether this could ever be considered 'voluntary', given current conditions in the labour market. I see young graduates looking for jobs, and there is no chance for them to be choosy and to refuse employment condit

Martin Tod

Peter Howe            I would propose that the value of shares offered should be a minimum of 20% of an individual's yearly salary. Otherwise, an unscrupulous employer could £2,000 to high paid employees to waive their employment rights.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page                Legal framework; amendments to Company Law.

Dave Harris	I am not at all convinced that there is any way of preventing abuse by employers, especially small employers, and for this reason am totally against the proposals. In practice, many rules are broken by small companies - and I do speak from first-hand exp
David Hunt	
Roger Winter	
Sara	
LINDA WILKINSO	
..	
Peter Catterall	
Cllr Richard Smith	
Julia	
Gareth Loveridge	
Sarah Haywood	Policing share valuations will be complex, expensive and difficult, otherwise it will just be a tax dodgers charter.
Graham Phillips	No comment.
Sheryl Waterhouse	The proposals are completely based on businesses allowing to abuse their employees. Therefore, there are no safeguards that you could implement in these proposals that would stop this.
Nick Barlow	I've mentioned many of these throughout my response, but the main safeguard that would need to be applied is not introducing this scheme in the first place. Any responsible company that wants to encourage employee ownership should be encouraged to, but th
David Edwards	
Candace Kendall	
Sue Bollom	
qwer	
Tom Roberts	
David Daws	
Peter Shouksmith	
Karen Teago	Please see my answer to questions 10 and 12 which detail my concerns for the employee and employer position respectively.
Charlotte Puttock	
James Hackett	
Jane Edsell	
Rod Dowler	
Gemma Brown	
Shona McCulloch	
Alan Lewis	
CLIVE B. JOHNSO	
..	
Iolanda Carneiro	
David Jobson	
Rona Miller	see above

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild            yes dont do this...simples

George Potter        The best safeguard would be to not implement the scheme at all, however, if it were implemented, the best safeguard would need to be a statutory right for employees, both new and current, to refuse to agree to employee-owner status without any impact on t

Gemma Roulston

Fiona White           In the current climate there is a need to protect the rights of employees and these should not be traded in return for shares.

Mark Widdop         Minimum share value on exit should be defined within contracts. Those on unemployment benefit should not be compelled to take these opportunities to prevent abuse though employment of those who have no choice

Helen Rowe

David Chaplin        The best way would be to drop this whole idea. Anything else would require disproportionate time and resources both in framing the rules and enforcing them.

William Jones

Joanne Green        Mandatory training would need to include Business Administration and other Scrutiny qualifications and Awards so that Employee Owners and Employers know what to check for to avoid abuse.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart     To avoid the creation of shares that provide no real value or incentive to the employees, and are merely a device for reducin employee right, the 'shares' to be offered must qualify as participating in the growth of the company, or the employees retail fu

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry      There must be a standardised way of calculating value of shares that is easily understood by employees and workers. Value of shares must be fair based on the job value of potential claims. Additional legislation will be needed to deal with complaints re ga

xx

Professor Deborah

john murphy

Carol Tricks

Steve Parfett

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards      Clarity on holding periods, valuation methodology and triggers for share vesting need to be very well drafted.

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon      The new status should be offered to new recruits but it should not be the only type of contract on offer. In other words, recruits should be able to opt in to the status and not have it as their only option. There would also need to be a close monitorin

Roger Chater

Craig Edmondson

Dale Sinclair

Niki Rosenbaum      Do not remove the right to bring a claim for unfair/ wrongful dismissal, discrimination or the right to redundancy pay.

Neil Jones

Graeme Dickson      See previous comments. Make sure employees cannot be forced / unfairly pressured into agreeing to enter such a scheme

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale      Voting rights in shareholder meetings need to be equally distributed between the shareholders and employee/owners in order to not disenfranchise the employee/owners from the ability to manage their capital wealth





# Employee owner online consultation

## Question 20

d

Catherine Shepher The existing tax rules applying on share-for-share exchanges and schemes of reconstruction should apply to the shares issued pursuant to employee contracts. Income tax relief should be provided for the value of shares provided to make the contracts viable

David Erdal

David Hole

Bruce Hanton There are many deals where the management equity is currently worthless. Without these proposals, if it does go up in value the public purse will receive between 10 and 28 per cent of the gain. If these proposals are introduced all those companies will buy in those shares out of the proceeds of a fresh issue to the same management so they can enter into the scheme. So all gains will be tax free. There will be no impact on the behaviour of the companies or the management, but there will be a net loss of tax.

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell As the shares will be within a recognised employee share scheme and as such exempt from all UK taxes then ANY new shares issued should inherit the exemptions. ie. either shares are exempt from UK tax (NI, PAYE, Capital gains) or they are not - KEEP IT SIMPLE.

Jamie Rowe I have no idea

Daran Brown I think a tax incentive for a company to go EO is a good thing

Steve Collington People need to declare share value as taxable earnings. Financial transaction taxes would be useful here.

Rachel Evans

Merrie Mannassi Pathetic because you have to take expensive advice to understand them - again, not allowable against corporation tax.

Jonathan Holden

Rob Hill

David Eastham No comment

Martin Ward No comment.

Prateek Buch

C Austen

Cornelia East

Laurence Ross There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Laura Josh

Laura Josh

Tracy Winter	
Andrew OCallagha	
Mark Blackburn	The two are not compatible
Ben Harding	
DAVID HOSSACK	No comment.
Mark Lancaster	
Andrew Harrison	
Sally Stone	
Nichola Smith	
Nicola Mullineux	No response provided
Rob Pinniger	
Geoff Caesar	
Claire Campbell	
Will Winch	
Billy Tonner	See 23. Open and transparent consultations on takeovers should apply as should TUPE.
Ken Worthing	
Martin Fletcher	Of course they should - otherwise the shares would lose value on a company reconstruction.
.	
Peter Reisdorf	
Chris Fox	
ndougherty	
Zoe Martin	
Campbell Ritchie	
Jean Evans	Ditto
Karen Ordoyno	
Roger Englefield	We think they should be treated in the same manner as any other share holder.
David James Port	
Greg Webb	
Peter Hayes	
Richard Sealy	
Robert Carruthers	I believe it should.
Martin Tod	
Conor McGovern-P	
Simon Dodd	

MR M.H.Faiz	
Martin Pierce	I haven't got any views on this.
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	
Julie Barclay	
Ross Welland	
Cllr. Nigel Jones	
Sharon Bowden	
Rob Pickering	
Gerald Avison	
Eric Feltn	
Matthew Walsh	
Allan Wakefield	
Graham Shelton	Reduce all taxes
george roussopoul	
Debbie Bullock	
David Goodall	
Chris Lucas	
Julian Huppert	
Joan Finch	
Alastair Macpherso	
Fiona Bell	There would need to be legislation to permit the tax treatment to pass to new shares acquired by virtue of the original holding. This is currently a problem for restricted shares where there has been a section 431 election and there would be a similar issue for employee owner shares. In particular, while the employee owner remained a director or employee of some description section 421B(3) would deem all new shares acquired as employment related securities and subject to Part 7 and by section 421D shareholdings derived from a previous holding falls to be employment related securities.
Deire MacGinley	Don't do it, it's exploitative
E J Stacey	no comment
Miss Grant	
Keir Fuller	
Gill Phipps	
Janet Abeyundera	Do not introduce these changes

William Jones	Value of shares should be protected. Needs to be a protected rights scheme, similar to pensions.
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	
Chris Williams	
Thomas Miles	no knowledge
Matthew Lambert	
Simon Banks	No comment.
chri smart	
Claire Booker	
Robert Heale	
Trevor	
Ash Dorey	
Rory Roberson	
Louise Farrell	
Glenn Andrews	
Bev Cross	Any rules or amendment of rules (whether to revenue or company law) that will ease the potential administrative and financial complexity and burdens of the scheme on employers and finance officers/company secretaries would clearly be welcomed.
Jordan Clough	
Nicolette Rattle	
Rob Prowse	
Elaine Woodard	
m taylor	
James Moore	
David Poole	
Roland Bell	
Darren Newman	No views
Conor McGovern-P	
Gev Pringle	
Tracy Connell	Share for share exchanges? Well this did not happen when Lloyds took over HBOS. My number of Halifax shares halved when Lloyds took over. If a company is taken over I believe the number of shares should be retained, but they will obviously need to be independently valued again. As for tax rules over this - I am not familiar with those.
Paul Clarke	

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis

As an employee, it is my choice whether or not to invest in my company. But fundamentally I don't want shares, I want fair employment practices. A financial buy-off will not answer the question of who is to look after the children if I cannot work flexibly. This government should be ashamed of its repeated attacks on working women.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines

Peter Stevens

karl meyer

Bob Browning

David Evans

Charles West

Allan Boyd

Andrew Toye

I agree that shares to employee-partners should be tax free. Company take-overs should be on condition of full restoration of employment rights

Naomi

asdjkl;

Mark Inskip

David Ord

Given their status it should be tax free, although a new company should be able to buy them back in return for the rights given up.

Suzanne Fletcher

Richard Fagence

David Becket

trevor snaith

Lois Norton

Richard East

Gareth Epps N/A

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom Tax rules need to ensure that any potential for abuse is offset by a high level of income for the state, since the state is left to pick up the cost of this policy's downsides. Clearly, the state needs to be able to pay to cover lost benefits, and so will need to recover the costs from participating businesses. Since share-for-share exchange is open to abusive speculation, the state should ensure a high level of tax income from it.

Katharina Draisbac

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling Yes, if it goes through.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page -

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSO

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood  
Graham Phillips No comment.  
Sheryl Waterhouse N/A  
Nick Barlow I do not know enough to comment.  
David Edwards  
Candace Kendall  
Sue Bollom  
qwer  
Tom Roberts  
David Daws  
Peter Shouksmith  
Karen Teago I cannot comment on this  
Charlotte Puttock  
James Hackett  
Jane Edsell  
Rod Dowler  
Gemma Brown  
Shona McCulloch  
Alan Lewis  
CLIVE B. JOHNSO  
..  
Iolanda Carneiro  
David Jobson  
Rona Miller don't do it  
Helga Janzen  
Andrew Harrison  
Yvonne  
Chris Whitmore  
Nzube Ufodike  
Giles Robertson  
Alex Wasyliw  
Anna Dubert  
Paul Wild  
George Potter  
Gemma Roulston

Fiona White  
Mark Widdop  
Helen Rowe  
David Chaplin        No idea  
William Jones  
Joanne Green        No views.  
Paul Clarke  
Andrea Jones  
Lola Kiss  
Simon Charters  
Nicholas D Hart     Of course.  
J. Janus  
peter hough  
David Winton  
Pauline Wilkes  
Aaron Hussey  
Derek Scott  
Alexandra MvAdam  
Fiona Reid  
Alexandra McAdam  
Graeme Taylor  
Brian Berry         Shares should not be converted for less value and any transfer must ensure the value of the shares at least remain the same.  
xx  
Professor Deborah  
john murphy  
Carol Tricks  
Steve Parfett  
Tracy Connell  
Jon Robinson  
Doug Shaw  
jeremy tobias-tarsh  
Fiona Aldridge  
simon garbett  
Belinda McIntosh



Robert Edwards	It would be difficult to see how they don't apply, unless a different and less valuable share class is created.
anita monteith	
Kevin Aggett	
Tim Lloyd	
Fiona Bell	
Anon	No comment
Roger Chater	
Craig Edmondson	
Dale Sinclair	
Niki Rosenbaum	
Neil Jones	
Graeme Dickson	No views
Daniel Sear	
Della Thomas	
Chris Devine	
J Mackenzie	
Matthew Bleasdale	This should follow the example of the exemption from CGT
Flora Jafarzade	

# Employee owner online consultation

## Question 21

d

Catherine Shepher Please see our responses to questions 10, 11, 14 and 15 above.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell Companies that operate 'employee owner' status will for reasons stated elsewhere will see a much smaller labour market, which will impact their ability to attract and retain good people.

Jamie Rowe make it marginally more flexible (its already flexible, and tbh if an employer wants to sack you, its easy enough to make peoples working lives uncomfratble so they quit instead,)

Daran Brown We wouldn't use EO status as you describes as it unnecessarily reduces rights

Steve Collington Destroy confidence in employees with companies known for dubious practices. Increase amount of employee churn. Increase dependence on unpaid workforces such as workfare.

Rachel Evans e government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have.

Merrie Mannassi Probably minimal.

Jonathan Holden

Rob Hill

David Eastham None. Negative if anything.

Martin Ward Slight.

Prateek Buch

C Austen

Cornelia East

Laurence Ross That's not 'flexibility' - that's playing with people's livelihoods.

Laura Josh

Laura Josh

Tracy Winter Always a good idea to have different forms of employment to fit the needs of different businesses. Not clear how this proposal will affect labour market flexibility because need to know a lot more detail about the proposals.

Andrew OCallagha

Mark Blackburn It will compromise and complicate it

Ben Harding

DAVID HOSSACK Our view is that this proposal is unlikely to have much impact on recruitment and redundancy. A third category of employment is likely to create confusion and a new kind of administrative burden on employers and there will be costs involved which either t

Mark Lancaster

Andrew Harrison

Sally Stone

Nichola Smith

Nicola Mullineux Flexibility will be increased but that will keep unemployment figures high – for every individual engaged on an employee owner contract thereby reducing unemployment, there is every possibility of the situation that a corresponding individual so engaged w

Rob Pinniger People will be sacked much more regularly.

Geoff Caesar

Claire Campbell

Will Winch We believe that there is a real risk that this will only result in making it easier to dismiss employees, but will not affect an employer's appetite for hiring.

Billy Tonner It's the "letting people go" bit that give you away. Very Americanspeak. You will have a very flexible labour market but it will quickly become a seriously disaffected, angry and uncooperative one. And what will you do when other nationalities within and

Ken Worthing

Martin Fletcher

.

Peter Reisdorf

Chris Fox There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the emplo

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans Would make the market more flexible from employers' point of view but add an extra problem for those trying to get work in an already difficult economic situation, because they are likely to be put in a situation where they have to choose between having a

Karen Ordoyno

Roger Englefield Providing the tax rules are changed as in our answer to question 5, positive impact.

David James Port

Greg Webb I genuinely believe that the proposal, while well-intentioned in terms of delivering business growth, is misguided. It offers no practical benefit to startup organisations that have the greatest growth potential for our economy as the rights concerned do

Peter Hayes

Richard Sealy

Robert Carruthers There will be little appreciable gain.

Martin Tod

Conor McGovern-P	
Simon Dodd	
MR M.H.Faiz	
Martin Pierce	It won't have any impact. All it will do is reduce the rights of ordinary people at work where employers decide to reduce them, or to give tax breaks to people involved in small businesses who would have distributed shares anyway
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	The Employee Owner contract will have negative impacts on labour market flexibility for women. The Employee-Owner contracts substantially reduce fundamental employment rights, including increasing notice periods for notifying early return from maternity
Julie Barclay	
Ross Welland	
Cllr. Nigel Jones	
Sharon Bowden	
Rob Pickering	
Gerald Avison	None
Eric Feltn	
Matthew Walsh	Little impact but it will take away security for individuals. Loosening the definition of freelancer would have a much greater impact.
Allan Wakefield	
Graham Shelton	No doubt the lawyers will decide
george roussopoul	
Debbie Bullock	It will increase churn and be open to abuse for unscrupulous employers.
David Goodall	
Chris Lucas	Companies will be able to 'buy-off' employees on these contracts and be able to dismiss them too easily and unfairly.
Julian Huppert	
Joan Finch	
Alastair Macpherso	Very Little
Fiona Bell	In theory there is more flexibility but the main difference is for employees who have more than two years' service and who might have other claims on dismissal if inadequate notice or there is improper procedures, so companies will still identify hurdles
Deire MacGinley	Don't do it, it's exploitative
E J Stacey	None.
Miss Grant	

Keir Fuller

Gill Phipps

Janet Abeysundera Employers with no regard for their employees will fire them at will - we already see this with the firing and re-hiring of employees to prevent the accrual of rights by unscrupulous employers

William Jones It will be smoother. It may on the other hand impose a lot of fear onto employees with employees working in large established companies unwilling to take the risk to move to a startup company on lower terms and conditions. So a lower quality and lesse

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart It will just make hiring good people more difficult. "Hiring and Firing" does very little for the company in the long run. If a company has to make people redundant it is very much in their interest to be able to re hire them again as the good times come

Chris Williams

Thomas Miles It will increase flexibility if there is take-up. Unfortunately, it seems likely that take-up will only be by two different classes of employee: 1. the low paid worker who will be forced to accept the minimum share offering and give up their rights out of

Matthew Lambert

Simon Banks None whatsoever. See my answer to question 11.

chri smart

Claire Booker

Robert Heale No positive impact

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross Given that low-paid staff will probably be excluded, I would think the businesses that would be most interested would be white-collar ones where the shares could be a real motivator in securing increased performance and loyalty.

Jordan Clough

Nicolette Rattle

Rob Prowse I believe it would have little impact except to reduce the pool of candidates prepared to join that company

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell The proposals will make employee retention and commitment more difficult.

Darren Newman	This again depends entirely on how the shares are valued. Without that information it is impossible to assess the impact of the proposal
Conor McGovern-P	
Gev Pringle	
Tracy Connell	It will bring in Beecroft's Fire at Will by the back door and let unscrupulous employers take advantage of being able to fire employees without any legal comeback or without having to make redundancy payments. It has the potential to create more unempl
Paul Clarke	
Gary McKenna	
Robert Hutchison	
John Ball	Fine for companies - but not for the poor employee!
Steve Comer	
Freya Copley-Mills	
cynthia james	
Laura Binnie	
John Harnedy	
P Edwards	
Melanie Davis	Personally I will become unemployable if this proposal is brought in, so will find the labour market considerably more inflexible
Gareth Epps	
Lorna Farrant	
tanya barman	
Ada Benson	
Matthew Swallow	
Tim Chudley	
James Blessing	
Kevin Slevin	
Julia Hines	None.
Peter Stevens	
karl meyer	This will generate a three tier employee structure with employee owners being at a severe disadvantage and liable for being treated unfairly during redundancy negotiations in particular
Bob Browning	
David Evans	
Charles West	
Allan Boyd	
Andrew Toyne	It will make people more insecure, spend less money and depress the economy. More people will get fired than hired as a consequence
Naomi	The market will become constipated as individuals opt not to move on for fear of job insecurity so you won't get a good churn of brain power.

asdjkl;

Mark Inskip

David Ord           None

Suzanne Fletcher

Richard Fagence

David Becket       Likely to be negative

trevor snaith

Lois Norton

Richard East

Gareth Epps       None. In fact, probably the opposite. When working for a fast-growing PR company, the owner/MD was able to find ways of letting people go through a variety of methods from compromise agreements to persuading individuals to work as consultants. Inst

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom       Clearly it will make it easier for businesses to let people go. This risks people not wanting to work for participating businesses, and having less loyalty to their employer. Simply put, people will distrust participating businesses.

Katharina Draisbac

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling   Obviously a big effect on the labour market. That is the whole point. But that is not the same as an effect on flexibility: that confuses cause and effect. It will be exploiting what flexibility there is, that's all.

Chris Lovell

Maria Pretzler

Martin Tod

Peter Howe       It will have limited impact. Smaller companies may hire employee owners, but are likely to have to offer more money to them. It will be more difficult for them to attract conventional employees from jobs where they are protected from unfair dismissal

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page           Letting people go' is already relatively straightforward. I see no reason for making it easier to exploit. I expect to see more 'churn' as this will be abused as a way to avoid an increase in salaries/pay.

Dave Harris "Letting people go" is a euphemism; call it what it is: dismissing. I have a nasty suspicion that it may cause a large amount of "churn" as small employers try out their new-found powers & run through a number of people in a position, in a short time,

David Hunt

Roger Winter

Sara

LINDA WILKINSO  
..

Peter Catterall

CLlr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood

Graham Phillips For a good, well run, company there should be no impact.

Sheryl Waterhouse More people will leave their jobs either because they don't want to stand for sub-standard employment rights they have been bullied into accepting or feel they do not have a choice in or they will leave because they will be forced out by unscrupulous empl

Nick Barlow It will create a more 'flexible' labour market, but the Government needs to question whether it is right in assuming that is unequivocally good.

David Edwards

Candace Kendall

Sue Bollom

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago Absolutely none whatsoever I'm afraid.

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dowler

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO  
..

Iolanda Carneiro

David Jobson

Rona Miller absolutely nothing - its complete nonsense

Helga Janzen



Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild oh well lets see...the employer will hold all the cards...job security will be non existent...want me to carry on.

George Potter Flexibility will be increased in companies where the scheme is implemented but the consequences of this flexibility will be negative for companies due to reduced productivity and reduced employee loyalty.

Gemma Roulston

Fiona White None

Mark Widdop There is no evidence to show this will have any impact on labour market flexibility at all, employees already have the ability to hire and fire within 2 years, the issuing of shares may add additional administrative and legal costs over and above taking o

Helen Rowe

David Chaplin None whatsoever

William Jones

Joanne Green I think this will have positive impacts as it proffers employers and employees with co-regulation. If handled correctly this will enable dispute resolution Panels to be created within companies for complaints to be dealt with. For further information plea

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart very little, see above

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam There is no problem in most businesses. M<ore effoert should be made to train managers and supervisors in how to manage people effectivel aydn fairly, how to improve training and educaiton generally.

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry I see the potential for abuse by businesses about letting people go and it might make it easy for them to go. As for hiring I feel, the scheme may dissuade many from applying due to the potential loss income due to a claim at tribunal.

xx

Professor Deborah

john murphy

Carol Tricks

Steve Parfett

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards Little

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon Clearly employers will be able to let more people go more easily without facing any consequences for behaving unfairly or unreasonably. I don't think it will have any particularly significant effect on hiring because businesses don't hire people just bec

Roger Chater Nil

Craig Edmondson

Dale Sinclair

Niki Rosenbaum Companies with little conscience will (on the surface) prosper, but long term they will fail due to inability to retain skills.

Neil Jones

Graeme Dickson May help but equally may cause unforeseen difficulties which are costly and time consuming. It is likely to sufficiently improve labour market flexibility to justify the changes.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale None

Flora Jafarzade

# Employee owner online consultation

## Question 22

d

Catherine Shepher	We are not responding to this question.
David Erdal	No. I led a 1500 person business into employee ownership in the 1980s and early 1990s. Since then it has been very successful. If we had used this scheme it would have reinforced suspicion and given the cynics multiple soapboxes to stand on.
David Hole	
Bruce Hanton	
Phil Bagnall	
Mary Leeds	
Brian Ronald	
Indie Kaur	
Carl Nichols	
Roland Bell	Where a company offers me consulting levels of pay and shares then I may consider it. Otherwise I would treat the job as temporary and use it to fund a further job search for more stable employment or better paid.
Jamie Rowe	Yes i think i would, and i think given the stake in the companys success, id be more inclined to work harder, and be more flexible etc.
Daran Brown	No. This status would be negative for all of us
Steve Collington	Nope. None.
Rachel Evans	
Merrie Mannassi	No.
Jonathan Holden	
Rob Hill	
David Eastham	No
Martin Ward	Very unlikely to have any take-up or impact in our sector.
Prateek Buch	
C Austen	
Cornelia East	
Laurence Ross	No.
Laura Josh	
Laura Josh	
Tracy Winter	No.
Andrew OCallagha	
Mark Blackburn	No. It's immoral. I wouldn't treat my employees like that, I'd feel dishonourable.
Ben Harding	

DAVID HOSSACK	No comment.
Mark Lancaster	
Andrew Harrison	No. As an organisation we will of course explain this option, but will not encourage businesses considering a move to employee ownership to consider this new status as we don't believe this new status has a role to play in the promotion of employee owner
Sally Stone	Absolutely not, not under any circumstances.
Nichola Smith	
Nicola Mullineux	No response provided
Rob Pinniger	I would fight against being made to take up this status - there should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immora
Geoff Caesar	
Claire Campbell	
Will Winch	We are a partnership, and consequently the issue does not arise. However, the indication from our corporate clients would be that the uptake would be very low. We are concerned that there does appear to be scope for abuse among businesses looking to m
Billy Tonner	Answers to 1 - 25 apply.
Ken Worthing	
Martin Fletcher	The way this question is drafted implies you are expecting employers rather than employees to be responding to the consultation. As an employee I would hope I never have to take up this status. Being employed without employment protection rights is not
.	
Peter Reisdorf	
Chris Fox	No. It would be impossible. We are a real employee-owned company, where 100% of the shares are held in an Employee Benefit Trust. We would not countenance the idea of asking our employees to forfeit any of their employment rights to maintain this status.
ndougherty	
Zoe Martin	
Campbell Ritchie	
Jean Evans	Not relevant
Karen Ordoyno	
Roger Englefield	Hopefully a positive impact on take up. Depends on the rules agreed by Government.
David James Port	
Greg Webb	I would not be keen to take up the status hypothetically either as an employee or a business owner. As a business owner it seems to provide largely illusory benefits and protections against rarely-occurring events in exchange for a relatively non-trivi
Peter Hayes	
Richard Sealy	
Robert Carruthers	No. Our company is too small and I don't think the employees would consider it sufficient reward for giving up workplace rights.
Martin Tod	
Conor McGovern-P	

Simon Dodd	
MR M.H.Faiz	
Martin Pierce	Absolutely not (I speak as a business owner). If I were an employee I doubt I would have the choice
Lisa Macpherson	
Anne	
Guy Remond	
roger englefield	
Andy Davies	
Samantha Jinks	
Julie Barclay	
Ross Welland	
Cllr. Nigel Jones	
Sharon Bowden	
Rob Pickering	
Gerald Avison	No!
Eric Feltn	
Matthew Walsh	Highly unlikely to sign up for it. For the businesses I'm involved with I think it will lead to suspicions of the companies motives.
Allan Wakefield	
Graham Shelton	No. Not at all.
george roussopoul	
Debbie Bullock	No, we would not take the option.
David Goodall	
Chris Lucas	NO!
Julian Huppert	
Joan Finch	
Alastair Macpherso	
Fiona Bell	There would be no advantage to me personally since future gains can be structured as capital gains currently without the loss of employment rights and an initial tax liability (eg under an EMI scheme or partly paid shares).
Deire MacGinley	Don't do it, it's exploitative
E J Stacey	No and I regret that on the basis of these proposals I will be advising Clients to seriously consider whether there are any advantages in adopting this. There will be admin burdens, share valuation issues, concern about dealing with leavers and still the
Miss Grant	
Keir Fuller	
Gill Phipps	
Janet Abeysondera	NEVER!

William Jones	No
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	no way This will create mayhem in the recruitment of staff and dismay across the company
Chris Williams	
Thomas Miles	I am an employee. I would not want to take up this status. Fortunately I am a "professional" employee and therefore hopefully will not be in a position whereby I am forced to take such a contract out of desperation, although if I did I would soon look to
Matthew Lambert	
Simon Banks	Question 1 - No, because I'm recently retired from paid employment. Question 2 - I am doing a bit of consultancy and some consultants would undoubtedly strike rich, but it would not be within the parameters I've set myself.
chri smart	
Claire Booker	
Robert Heale	No
Trevor	
Ash Dorey	
Rory Roberson	
Louise Farrell	
Glenn Andrews	
Bev Cross	The charity I work for is a company limited by guarantee and so has no shares.
Jordan Clough	
Nicolette Rattle	
Rob Prowse	
Elaine Woodard	
m taylor	
James Moore	
David Poole	
Roland Bell	No, cash in hand is worth more than a piece of paper that cannot be traded on the open market. I wouldn't use the employee owner status, I would continue to use: normal employment (with share options/employee share scheme), temporary staff and contractor
Darren Newman	This again depends entirely on how the shares are valued.
Conor McGovern-P	
Gev Pringle	
Tracy Connell	No.
Paul Clarke	

Gary McKenna

Robert Hutchison

John Ball                    If I was still in employment I would not wish to take it up.

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis                There is no bribery, no sum in the world, that would induce me to give up my rights to ask for flexible working and to be treated fairly on dismissal. This proposal would be a disaster if implemented and is incredibly discriminatory against women.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines                    No

Peter Stevens

karl meyer                    No

Bob Browning

David Evans                    No

Charles West

Allan Boyd

Andrew Toye                 I would take shares but not surrender my rights. If I was a partner in a business then I think that it would do better if everyone in it had a stake

Naomi                         No way.

asdjkl;

Mark Inskip

David Ord                     no

Suzanne Fletcher

Richard Fagence

David Becket                 Not in business

trevor snaith	NO WAY
Lois Norton	
Richard East	
Gareth Epps	No.
Scott Rober Wilson	
Kirsty Horne	
katie howe	
Daniel Groom	No. Exemption from capital gains tax on £2-50k worth of shares is worth very little given, especially given the usual comparative lifespan of people and businesses. If my employer took part in the scheme, they would likely lose employees used to profit-sh
Katharina Draisbac	
Rachel Prince	
Simon Tucker	
Lucy Hodge	
Emma Watts	
Maria Pretzler	
Daniel Henry	
Christopher Pelling	N/A.
Chris Lovell	
Maria Pretzler	I would not want to work under those conditions, and I would advise anybody else to avoid it at all costs. Workers' rights have been fought for in a long struggle, and for good reasons. This is nothing but an introduction of the Beecroft Report by the bac
Martin Tod	
Peter Howe	An an employee, I would expect a share equal to 6 months salary, or a 20% salary increase, before I would consider it.
Gavin Greig	
Paul Whittle	
Dr D L Clements	
S. Page	If I were an employer I would not be likely to take up the new status as I have grave ethical concerns.
Dave Harris	Being self-employed, it doesn't apply.
David Hunt	
Roger Winter	
Sara	
LINDA WILKINSO	
Peter Catterall	
Cllr Richard Smith	
Julia	
Gareth Loveridge	



Sarah Haywood	Definitely not. As a medium size business owner, who actually started a share ownership scheme, as I believed in the principal, and has now closed it, I think this is a disaster. Our workforce really struggle to understand pensions, much less share owne
Graham Phillips	Not applicable.
Sheryl Waterhouse	Never as an individual and never if I ever own a business. The proposals are completely unethical.
Nick Barlow	No, I would not be. However, I would be interested in the Government promoting employee ownership schemes that do not require the surrender of rights by those taking part in them. The Government should be looking at schemes that encourage employee owne
David Edwards	
Candace Kendall	
Sue Bollom	
qwer	
Tom Roberts	
David Daws	
Peter Shouksmith	
Karen Teago	No
Charlotte Puttock	
James Hackett	
Jane Edsell	
Rod Dowler	
Gemma Brown	
Shona McCulloch	
Alan Lewis	
CLIVE B. JOHNSO	
Iolanda Carneiro	
David Jobson	
Rona Miller	not a chance
Helga Janzen	
Andrew Harrison	
Yvonne	
Chris Whitmore	
Nzube Ufodike	
Giles Robertson	
Alex Wasyliw	
Anna Dubert	
Paul Wild	It would depend if I was in a recession (hint) and the only job been offered came with these strings what else could i do...turn it down and if I'm on JSA (not by the way) loose my benefits for turning it down

George Potter	No.
Gemma Roulston	
Fiona White	Not applicable
Mark Widdop	
Helen Rowe	
David Chaplin	Definitely not.
William Jones	
Joanne Green	Yes I would take up the new employee owner status if it was independent of my pension scheme and enabled me to claim benefits such as Job Seekers Allowance and Housing Benefit should I become unemployed. The impact of the status upon my business of em
Paul Clarke	
Andrea Jones	
Lola Kiss	
Simon Charters	
Nicholas D Hart	The idea is fine, but this implementation is so restrictive as to remove the benefit for anyone except an unscrupulous employer seeking to bend the rules to exploit his workforce. i could not advise any of the companies who consult me to take this serious
J. Janus	
peter hough	
David Winton	
Pauline Wilkes	
Aaron Hussey	
Derek Scott	
Alexandra MvAdam	None.
Fiona Reid	
Alexandra McAdam	
Graeme Taylor	
Brian Berry	No.
xx	
Professor Deborah	
john murphy	
Carol Tricks	
Steve Parfett	
Tracy Connell	
Jon Robinson	
Doug Shaw	
jeremy tobias-tarsh	

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards      Personally, no. I thin it would have little or no impact on the business I work for as existing levelso f employee share ownership are high.

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon                      No! I am not a business, but if this was the only employment status available to me then I might have to quickly develop a musical talent and go busking. People have fought for employment rights for decades, and they shouldn't be given up so lightly in

Roger Chater              Nil

Craig Edmondson

Dale Sinclair

Niki Rosenbaum              No. I would actively discourage it in my business and to my clients.

Neil Jones

Graeme Dickson              Low among good businesses. higher among those who wish to have employees with few rights on their books.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale              No

Flora Jafarzade

# Employee owner online consultation

## Question 23

d

- Catherine Shepher We do not consider that we are able to respond to this question fully without further clarification and detail regarding the Government's proposals. There are already a number of existing share schemes available for employers to provide share incentives to their employees without an employee having to forfeit any employment law rights. Enterprise Management Incentive ("EMI") Share Option Schemes are also aimed at entrepreneurial business and offer the potential for lower CGT treatment on gains on employee-owned shares. In the Budget earlier this year, we note that the Chancellor announced a number of changes to the regime governing EMI options. Following these changes, certain companies may come to the conclusion that EMI schemes continue to offer the most attractive share option for employees and choose not to offer "employee owner" status. Since 16 June 2012 the EMI limit was increased from £120,000 to £250,000 per eligible employee. This threshold is considerably higher than that proposed for "employee owners". Although tax is applied to gains on shares held under EMI schemes (at a rate of 10% following the announcement in the March 2012 Budget to extend Entrepreneur's relief) it seems to us unlikely that employees would opt to sacrifice employment protection for a marginal tax saving if an EMI scheme is available. Businesses must be clear about the benefits of using the employee-owner status as opposed to these other schemes if they are to maintain employee relations and not be seen as taking rights away.
- David Erdal a) the design is flawed. Companies will be attracted for the wrong reasons. b) individuals will only take it up under duress.
- David Hole
- Bruce Hanton
- Phil Bagnall
- Mary Leeds
- Brian Ronald
- Indie Kaur
- Carl Nichols
- Roland Bell a) As stated before the companies that will take this up will in the main be unethical. b) Individuals who are not risk adverse may take this up. However, there people are in the main already working as contractors and temporary staff and hence also enjoying the levels of pay this level of risk taking demands.
- Jamie Rowe That it needs to be volutnary, and actually voluntary, not sign the contract or you dont get a job volutnary.
- Daran Brown As before
- Steve Collington Irresponsible.
- Rachel Evans e government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have.
- Merrie Mannassi Both - fairly low. If you had a partially unionised environment you could end up having to constantly check which sort of employee they were and would that make a company more inclined to sack the employee owner to reduce the hassle that would occur if they are a member of a trade union.
- Jonathan Holden
- Rob Hill
- David Eastham That is for them to judge but it's "benefits" are an illusion
- Martin Ward No comment.
- Prateek Buch

C Austen

Cornelia East

Laurence Ross      There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the employer and employee.

Laura Josh

Laura Josh

Tracy Winter      It may suit some companies, particularly fast-growing businesses. However, it will very much depend on the detail in the final proposal as to whether individuals will take this up. At present there simply is not enough information to be able to comment.

Andrew OCallagha

Mark Blackburn      a) Shameful, b) Compromised

Ben Harding

DAVID HOSSACK      We think the costs and increased administration will be offputting for smaller companies. For larger companies (and particularly those with external investors), we think it will be difficult to "slot" such arrangements into their existing structure. We also think that any employer who proposes to an employee that they are recruited on this employee owner basis is sending a reasonably negative message to that individual ("before you work, you'll need to sacrifice some of your rights..."), so any company embarking on this scheme would need to consider their approach carefully.

Mark Lancaster

Andrew Harrison      As a result of brief conversations we've had with clients I will be surprised if there is any great take up by Companies.

Sally Stone      Immoral.

Nichola Smith

Nicola Mullineux      Individuals will be thrown into even more uncertainty and will be placed in a situation where their 'gains' are not equal to their losses. Ownership of shares in a company is not worth losing unfair dismissal protection. Job security is a high priority for individuals. Shares can decrease in value and therefore ownership of shares does not present a fair exchange for the giving up of job security. The introduction of these contracts will create a stagnant workforce because people will not want to leave their current jobs if a new job will mean employee owner status, and consequently significantly less employment protection for them. This is because of the uncertainty over the initial level of share provision and the value upon buy back. People looking to better themselves by moving to a more senior job in a different organisation and be able to provide better for their families will be deterred from doing so in order to retain their employment rights. Skills and qualifications will therefore not be developed or utilised.

Rob Pinniger      Companies will attempt to drive people into this status. Individuals would be crazy to accept it.

Geoff Caesar

Claire Campbell

Will Winch a)  We believe that companies with the resources and administrative structures in place will be interested in this policy. Smaller businesses and start up companies are less likely to take on the administrative burden that would be required. b)  We believe that individuals are unlikely to have a choice in the matter. If the employer decides that it wishes to offer only employee owner roles, the employee would have to look elsewhere for a job. In the current economic climate, this may not be feasible – particularly if the individual loses the right to claim state benefits if they refuse such a role. For the majority of workers, there is much to lose and little to be gained from employee owner status. We are unsure as to how the income tax charge will be met when the shares are issued – we presume that rather than asking employee owners for a cash settlement, the business will buy back a proportion of the shares to settle the tax bill. Accordingly, the employee owner will be left with a maximum of £1,500 worth of shares. The incentive of not paying CGT is, we believe, largely illusory. The current annual allowance for CGT is £10,600. Accordingly, the value of a £2,000 shareholding would need to increase by more than 500% in order to make the scheme worthwhile from a tax perspective. The most likely beneficiaries of this scheme will be high net worth individuals, for whom an offer of £50,000 worth of shares in the business would be relatively standard in any event; these are also the individuals for whom the loss of unfair dismissal rights is less likely to be of significant concern, compared to those in most jobs.

Billy Tonner a) Get rich quick merchants will love it. Bullies will enjoy their new-found power b) Why would any individual wish to relinquish a right save that they are followers of the thirty pieces of silver mentality.

Ken Worthing

Martin Fletcher Companies will love it, and it will quickly become the norm. Employees will hate it, but will have no choice about it - particularly when it is the only game in town.

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Peter Reisdorf

Chris Fox

ndougherty

Zoe Martin

Campbell Ritchie

Jean Evans Bad idea

Karen Ordoyno

Roger Englefield a) Enlightened companies, major take up. b) Depends on how it is packaged for them so that they understand from day one.

David James Port

Greg Webb

Peter Hayes

Richard Sealy

Robert Carruthers Companies might be keen to offer it, but I think individuals will be highly reluctant, since the real, concrete advantages of

Martin Tod

Conor McGovern-P

Simon Dodd

MR M.H.Faiz

Martin Pierce Some companies will like this because they either can see personal tax advantages, or just want to reduce the rights of their employees (although I doubt if in practice it will save them any real time or money). Individuals - except people involved in starting up a business who would have had shares in it anyway - will fear it because it will erode their rights in exchange for something not of any great value

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks The Employee Owner contracts involve a loss of fundamental employment rights. These should not be reduced in any employment contract. It seems unlikely that the new contracts will be used by ethical employers. The contracts will seriously disadvantage individual employees and are likely to be taken up only by those who are unable to find an alternative job.

Julie Barclay

Ross Welland

Cllr. Nigel Jones As stated above, I think this is not the way to encourage employee ownership. The purpose of the idea is to encourage greater commitment from employees and a more productive work force and to particularly help new companies or small companies to develop their business. This requires a two-way commitment by all in a business, i.e. employer as well as employee. Both sides need safeguards.

Sharon Bowden

Rob Pickering

Gerald Avison None if they have any sense

Eric Feltin

Matthew Walsh Major companies who already have share schemes and invest in a solid employee base will not take it up. Companies that rely on zero hour contracts etc will be very eager to take it up. Individuals will take it up if they consider it to be of short term advantage, how this is determined will be difficult to measure though. I suspect few will be demanding their employer offer it, but many will accept if told it is being brought in.

Allan Wakefield

Graham Shelton a) Low b) Low

george roussopoul a) Companies will be delighted to be able to evade their normal employment obligations b) Individuals will suffer severely yet most of them will be unable to understand or resist this.

Debbie Bullock None by the employee.

David Goodall

Chris Lucas Unethical companies will take it up and force as many individuals on to these contracts as possible.

Julian Huppert

Joan Finch

Alastair Macpherso

Fiona Bell a) Companies may seek to offer but b) most individuals are likely to consider it unattractive.

Deire MacGinley Don't do it, it's exploitative

E J Stacey Little take up expected.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeyundera Do not introduce these changes

William Jones a) Companies, depends on eventual regulations. Some HR departments may see this as part of a cost cutting programme. Depends on the ethos of the company. Probably no desirable to allow existing large companies to have this status. b) individuals - depends on incentives and compulsion to take such a contract.

Ivan Morley

Richard Broadbent

Isobel Hooper

Nick Tamblyn

chris smart a. disastrous b. disastrous

Chris Williams

Thomas Miles (a) limited benefits, limited protection (due to discrimination still being an issue), increased administrative burden (especially re valuation, etc.) (b) limited benefits, unlikely to actually be attractive in most cases, will only be taken if there is no alternative and are unlikely to encourage employee engagement if used in the way the gov is intending - i.e. to remove employment rights and increase the ease with which their employer can dismiss them.

Matthew Lambert

Simon Banks Unclear whether you're asking if they should take it up or what proportions might take it up. I'm guessing the latter. I would be surprised if more than 20% of companies took it up. Because there would be an implication that the well-intentioned, highly-motivated employees would take it up and would be viewed more favourably by management as a result, take-up by employees could be quite high, probably above 50% on average in companies promoting such a scheme, but I'm guessing.

chri smart

Claire Booker

Robert Heale Giving employees the opportunity to have shares in their Company is a good idea BUT not at the expense of giving up hard won rights. This may give employee share ownership a bad name because of this link

Trevor

Ash Dorey

Rory Roberson

Louise Farrell

Glenn Andrews

Bev Cross Too early to have a view.

Jordan Clough

Nicolette Rattle

Rob Prowse

Elaine Woodard

m taylor

James Moore

David Poole

Roland Bell I suspect that young inexperienced companies that are driven by banks and venture capital are more likely to offer this new employment status. As an individual the status is only of value if you treat the job as a stopgap and can be sure the shares will appreciate significantly in value ie. £4,000 stands a good chance of becoming £100,000+ over a couple of years.

Darren Newman This depends entirely on how the shares are valued



Conor McGovern-P

Gev Pringle

Tracy Connell

a) Advantageous for companies in encouraging workers to commit to the company and work hard as long as workers rights are NOT the trade off. Otherwise it would give the company the ability to fire at will, which is one thing the Liberal Democrats were committed to stopping by preventing Beecroft's measures. A company could end up with reluctant employees as those desperate for a job may be the only ones they would get taking up such a position where workers rights were taken away. b) Those on JSA will have no choice but accept a job on these terms if they are what is offered as they will have no choice, otherwise they would lose their JSA and end up on the street. Others may be offered only this job and not have a choice because there isn't a wealth of jobs to pick and choose from. Knowing they will lose workers rights will be disincentivising for workers and equates to holding a gun to their head to make them work harder. However, were the trade off on rights to be removed from this proposal and employee ownership be implemented as suggested by Nuttall or at Lib Dem Conference then the individual could have a stake in the company and work hard as it would mean they get incentives like dividends which can only increase as the company does well without the fear of losing their job at any time and also feel they have money to spend - which is THE KEY to economic growth. The ordinary worker is the one who makes the economy grow, not the fat cat, so it is important that they feel they have money to spend. [this is why the increase in the income tax threshold is so important]. Also, there is nothing in this proposal that states what would happen if the company were to fail. Would employee owners be liable for a share of the millions of pounds worth of debt??? For further points please see: <http://www.employeeownership.co.uk/news/news-about-eo/bis-consult-ministerial-letter/> and <http://www.libdemvoice.org/employee-share-ownership-open-letter-to-vince-cable-and-nick-clegg-30791.html>

Paul Clarke

Gary McKenna

Robert Hutchison

John Ball

I fear individuals will be put under pressure to join. Regardless of legal 'safeguards' it will be just too easy for management to indicate that promotion is easier for those willing to forfeit some of their unfair dismissal rights.

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis

Some individuals may be stupid enough to sign, but would regret it as they see their rights eroded when they need them most - ie when they have children. This policy is fundamentally at odds with society's best interests, which are to get more women into work.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines

It shows a company is prepared to disregard proper employment rights. Individuals may feel they have no choice but to accept an offer.

Peter Stevens

karl meyer individuals would suffer

Bob Browning

David Evans It will be another retrograde step.

Charles West

Allan Boyd

Andrew Toye a) Companies will find contract confusion and a risk-averse, insecure staff (b) Some people might not know fully what they are giving up and lose out as a consequence

Naomi a) I suspect Ryanair would adopt this immediately were it UK domiciled. b) I doubt many individuals will opt for this unless they have insider info about their company being very close to striking oil.

asdjkl;

Mark Inskip

David Ord a) very small b) very small and with some reluctance.

Suzanne Fletcher

Richard Fagence

David Becket Bad policy, will not do anything to help the economy

trevor snaith Mad if they do

Lois Norton

Richard East

Gareth Epps a) covered in other responses. b) Individuals will not in any way be attracted to employee ownership by these proposals. It is of the nature of employment rights that they are more valuable to the employee than the employer. Redundancy pay, or the confidence that you won't be treated arbitrarily, have a value to the worker that exceeds the hassle or cost to the boss. Individuals on the other hand tend to discount heavily the value of shares, which they find uncertain (particularly if illiquid) and likely to return value only over the long run.

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom a) companies will likely take up the policy wherever it can make the decision-makers personal gain. B) individuals are likely to take up the policy wherever they are too stupid to understand the risks.

Katharina Draisbac

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling Good for companies, disastrous for individuals.

Chris Lovell

Maria Pretzler b) I hope that few workers will be duped by this. But I fear that too many won't have a choice.

Martin Tod

Peter Howe Wealthy individuals with large savings are likely to use it as a way of avoiding CGT. Start up companies may use it because they offer employees shares anyway, but the extra salary demanded by employees for the risk may discourage them. Unscrupulous large companies may use it as a way of removing unfair dismissal rights without having to involve employees in the running of their companies.

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page I expect less ethical companies to make use of, and abuse, the policy. In many cases I suspect individual employees will have no choice or will be strongly encouraged (i.e. bullied) to take on a less protected status.

Dave Harris a) Not at all sure. b) I suspect there would be the usual spectrum, with people varying from outright acceptance to outright opposition. Where the median would be, and on what axes, I wouldn't like to forecast.

David Hunt

Roger Winter

Sara

LINDA WILKINSO

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge

Sarah Haywood Probably the same as for stakeholder pensions!

Graham Phillips Both companies and individuals will weigh up the benefits and disbenefits of the policy. Generally, I consider that the three elements of the proposal relating to unfair dismissal, statutory redundancy pay and flexible working are undesirable. By contrast the two elements relating to maternity leave and access to training are sensible. On balance, I do not consider that there are sufficient advantages to justify this proposal, as a whole, being proceeded with.

Sheryl Waterhouse a) Companies taking up these proposals will lose the respect of their employees as they will be operating unethically and demonstrating a clear lack of care to their employees. I would never work for a company who operated this policy. b) Most will be forced into choosing this or will not fully understand the implications of having these reduced employment rights.

Nick Barlow Many companies will take this up as it provides a mechanism by which they can circumvent existing laws and treat employees with contempt. This will be a benefit for unscrupulous employers while those who wish to constructively engage with their employees and allow them to take part in proper employee ownership schemes where they can have a real say in the business will be excluded. Is this really what the Government wishes? Individuals will likely have no say on whether they take this up. The policy should allow individuals to request conventional employment and not be forced into this, and the Government should consider it's role as protecting the individual from being exploited by unscrupulous employers, rather than being on the side of the exploiter.

David Edwards SOMNIUM Technologies does not intend to make use of this policy

Candace Kendall

Sue Bollom b) appalling

qwer

Tom Roberts

David Daws

Peter Shouksmith

Karen Teago      See my answer to previous questions

Charlotte Puttock

James Hackett

Jane Edsell

Rod Dower

Gemma Brown

Shona McCulloch

Alan Lewis

CLIVE B. JOHNSO  
..

Iolanda Carneiro

David Jobson

Rona Miller      cannot see anyone wanting to do this - costly rubbish

Helga Janzen

Andrew Harrison

Yvonne

Chris Whitmore

Nzube Ufodike

Giles Robertson

Alex Wasyliw

Anna Dubert

Paul Wild      Any company who takes this up will at some point screw over the people who take the contract...a company will use this to get rid of people who's face doesnt fit...this legislation is sack on will but with jazz hands

George Potter

Gemma Roulston

Fiona White      This is a proposal which is one-sided and of no benefit to employees

Mark Widdop      Companies have already come out against this proposal just as Sainsbury's, as well as CIPD and EOA. Taking on this status will add potential brand damage through participation in a controversial scheme that several mainstream businesses have rejected. For the reasons highlighted below individuals may extract an additional premium in wage demands to enter into such a contract as an insurance against the loss of rights. The increased wages asked for by contractors, for the lower job security is evidence that this will increase direct employment costs, and then the burden of administrating such a scheme for such a small change in rights compared with a contractor, would not seem attractive. Individuals will be unwilling to take up these employment statuses except as a last and final resort, for the simple reason, that individuals make long term judgements, based on there income security, such as getting a mortgage, loan, new car or having a family, taking away employment rights will make these simple choices that every individual has to take every day, this loss of certainty will lead to one of two options, a) avoid these options, b) extract a premium in wage demands as "insurance", this will potentially lower the available pool of employees for the employer. There is a requirement to have an evidence based approach on how an individual may act, the additional costs and potential avoidance by high calibre applicants who want stability, may lower productivity and increase costs of employment, and the company may lack a back out plan from these arrangements, when these behavioural trends are known and it maybe foolish to proceed without this research. Furthermore this new employment status is much more difficult to understand than a simple employee, this will detract people from taking such a position. Those who are available to work may however be forced to exchange rights for shares.

Helen Rowe

David Chaplin      This is unattractive to both employees and small businesses. As said before the only winners will be sham companies using the status for tax evasion.

William Jones

Joanne Green      a) It will help business to grow and to become less dependent upon government supplements, help production flows therefore increase efficacy, effectiveness and efficiency. b) It is empowering and ought to create ownership demands among other employees.

Paul Clarke

Andrea Jones

Lola Kiss

Simon Charters

Nicholas D Hart      see above

J. Janus

peter hough

David Winton

Pauline Wilkes

Aaron Hussey

Derek Scott

Alexandra MvAdam

Fiona Reid

Alexandra McAdam

Graeme Taylor

Brian Berry      For me, I would not take it up unless the value of the shares were quite high, in excess of £7,500 and the company was financially sound. Also, I would only take up this if the company was publicly traded and it was clear exactly how the value was calculated along with the chance the value could go up, over time. I feel some companies might take it up but I feel the overall cost would most likely force many companies not to implement it. Plus I do not believe many educated workers would take it up especially if the value of shares were low.

xx

Professor Deborah

john murphy

Carol Tricks

Steve Parfett

Tracy Connell

Jon Robinson

Doug Shaw

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards I think b) by definition is determined by a) and I think a) will be low.

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon Generalising here, but: Companies - yay! Individuals beware!

Roger Chater Likely to be of very limited attraction to any, especially given the near certainty that it would be changed by any incoming government.

Craig Edmondson

Dale Sinclair

Niki Rosenbaum Companies and individuals are unlikely to take this up as it offers no benefits to either that outweigh the provision of employment rights.

Neil Jones

Graeme Dickson Companies may like it but could offer the scheme of allowing for share ownership already (as many do). If employees realise the rights they are forgoing I would think the take up will be lower than the govt would wish.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale a) It's unlikely to be adopted, the risks remain high (or are increased) and the benefits remain poorly defined. Where benefits have been stated they are in relation to issues not seen as significant causes of labour market inflexibility (which stems from a poorly skilled workforce, low growth and macro-economic climate issues)

Flora Jafarzade

# Employee owner online consultation

## Question 24

d

Catherine Shepher We are not responding to this question.

David Erdal

David Hole

Bruce Hanton

Phil Bagnall

Mary Leeds

Brian Ronald

Indie Kaur

Carl Nichols

Roland Bell No rationale or fact based reasons for the proposals contained in this consultation has been given. Hence it is difficult to see just what problem the government is trying to solve that cannot be solved by a business making full use of existing employment

Jamie Rowe hmm no idea why you would need to do one of these.

Daran Brown Not sure

Steve Collington EIAs are essential as there's law around them. If you want groups that face discrimination to be included, involve them.

Rachel Evans e government should not help businesses get more out of allowing people to sell their employment rights. The UK has a very flexible labour market compared to similar countries except the US. Employees need to keep the limited powers and rights they have.

Merrie Mannassi Yes - those who are less bright would probably not want to risk taking up something they don't understand. Part-timers may think it is not for them - would women more. Companies may think they don't want to offer it to part-timers - again impact on wome

Jonathan Holden

Rob Hill

David Eastham There are no real statistics to support the premise of these proposals. Evidence form the actual numbers of employment tribunals taken as a result of the refusal for training for instance re conspicuous by their absence. The equality impact merely lists g

Martin Ward There will cearly be scep for differential take-up by different groups, this might in part reflect their pereptions of the ease or difficulty of inding work and hence exaggerate existing inequalities. There may be cases of some groups being pressured int

Prateek Buch

C Austen

Cornelia East

Laurence Ross There should be no circumstances under which an individual employee can trade in their employment rights. Effectively selling them in exchange for shares (of volatile value) is unacceptable, immoral and changes the already unfair balance between the emplo

Laura Josh

Laura Josh

Tracy Winter	Flexible working may impact women and employees who care for a disabled relative disproportionately.
Andrew OCallagha	
Mark Blackburn	Not that I'm aware.
Ben Harding	
DAVID HOSSACK	No comment.
Mark Lancaster	
Andrew Harrison	
Sally Stone	
Nichola Smith	
Nicola Mullineux	No response provided
Rob Pinniger	
Geoff Caesar	
Claire Campbell	
Will Winch	We believe that older workers, women, and those from ethnic minorities would be less able to benefit from the policy. If the policy is designed to encourage employees be more involved in start up businesses, the value of the shares will increase over tim
Billy Tonner	The proposal appears to ride roughshod over the Equality Act. Migrant workers, not only those who do not have English as a first language, will find themselves in a legal and linguistic minefield.
Ken Worthing	
Martin Fletcher	The Equality Impact Assessment is flawed. The loss of maternity rights (only affecting women) definitely has a detrimental impact. But the whole attack is aimed at the low paid workers and will disproportionately impact on those from the protected equal
.	
Peter Reisdorf	
Chris Fox	
ndougherty	
Zoe Martin	
Campbell Ritchie	
Jean Evans	This proposal quite simply take away equality since, as stated above, it immediately creates a two tier system.
Karen Ordoyno	
Roger Englefield	Impact assessment seems fair. We are unaware of any other considerations that need to be made.
David James Port	
Greg Webb	
Peter Hayes	
Richard Sealy	
Robert Carruthers	I think it will undermine the confidence employees have in their own workplace rights and therefore may undermine equality.
Martin Tod	



Conor McGovern-P

Simon Dodd

MR M.H.Faiz

Martin Pierce It's absolutely bound to hit hardest on those with least power already in our society - people who won't have the choice to say they don't fancy the new deal on offer and will go elsewhere.

Lisa Macpherson

Anne

Guy Remond

roger englefield

Andy Davies

Samantha Jinks Pregnancy and maternity: The equality impact assessment notes that the doubling of the notice period for early return from maternity leave will impact on pregnant women and new mothers. It states that this is a procedural change and concludes that there

Julie Barclay

Ross Welland

Cllr. Nigel Jones

Sharon Bowden

Rob Pickering

Gerald Avison It is another example of government department failing to pay any thought to consequences .

Eric Feltn

Matthew Walsh

Allan Wakefield

Graham Shelton This question shows the mountain we have to climb before government gets it for business.

george roussopoul The existing UK legislation regarding employee rights is already among the weakest in Europe, and this will make it even worse. Good treatment of employees helps businesses to grow. This does not.

Debbie Bullock Believe it will be a step backwards for equality for women. Believe unscrupulous employers will use against the employee.

David Goodall

Chris Lucas

Julian Huppert

Joan Finch

Alastair Macpherso

Fiona Bell

Deire MacGinley Don't do it, it's exploitative

E J Stacey I think it would make little difference to equality issues.

Miss Grant

Keir Fuller

Gill Phipps

Janet Abeysundera	As always, women and the disabled with less access to support will suffer most
William Jones	Yes, needs to be full provision on this otherwise some undesirable practices that have become a thing of the past will return.
Ivan Morley	
Richard Broadbent	
Isobel Hooper	
Nick Tamblyn	
chris smart	
Chris Williams	
Thomas Miles	This doesn't seem to have been looked at seriously - it seems that the gov is content that the Equality Act should deal with any issues and will leave the courts/tribunals to sort it out.
Matthew Lambert	
Simon Banks	I have raised equality issues under 14 and 21. The implications for identifying and disincentivising discrimination in employment would be serious.
chri smart	
Claire Booker	
Robert Heale	It is wrong to take away rights - which should be universal - from certain groups of people. It will cause confusion and is open to abuse
Trevor	
Ash Dorey	
Rory Roberson	
Louise Farrell	
Glenn Andrews	
Bev Cross	Note possibility of indirect discrimination where employees cannot afford to take up the shares.
Jordan Clough	
Nicolette Rattle	
Rob Prowse	
Elaine Woodard	
m taylor	
James Moore	
David Poole	
Roland Bell	Doesn't say anything positive about the proposals - so another reason to discard.
Darren Newman	No views
Conor McGovern-P	
Gev Pringle	
Tracy Connell	
Paul Clarke	

Gary McKenna

Robert Hutchison

John Ball

Steve Comer

Freya Copley-Mills

cynthia james

Laura Binnie

John Harnedy

P Edwards

Melanie Davis      No equality at all here. Policy is hideously anti-women. Osborne's team should try looking after small children for once before they come up with such daft policy ideas.

Gareth Epps

Lorna Farrant

tanya barman

Ada Benson

Matthew Swallow

Tim Chudley

James Blessing

Kevin Slevin

Julia Hines

Peter Stevens

karl meyer      women are likely to suffer greatly

Bob Browning

David Evans

Charles West

Allan Boyd

Andrew Toye      All individuals should be employed on the same basis within the same company. Introducing contract confusion will risk indirect discrimination

Naomi      Women are increasingly becoming the main bread winners in the household and tend to be more risk averse than men. It is likely therefore than if optional (& if you do this crazy Ayn Rand style stuff it MUST be optional) that women are unlikely to take it

asdjkl;

Mark Inskip

David Ord      don't know

Suzanne Fletcher

Richard Fagence

David Becket

trevor snaith

Lois Norton

Richard East

Gareth Epps      There will be a significant negative impact unless the legislation provides that an individual on Jobseekers' Allowance, who may have reasonable (eg family or caring) grounds not to take up this diminished form of employee status, should not be penalised

Scott Rober Wilson

Kirsty Horne

katie howe

Daniel Groom      Yes. This proposal disproportionately benefits the already-wealthy while disproportionately exposing the under-educated to financial risk. There is an undeniable correlation between socio-economic background and the likelihood of a given person fully unde

Katharina Draisbac

Rachel Prince

Simon Tucker

Lucy Hodge

Emma Watts

Maria Pretzler

Daniel Henry

Christopher Pelling      The effect of the maternity provisions needs much more serious and informed thought.

Chris Lovell

Maria Pretzler      This is likely to be problematic especially for single parents, carers, etc - in terms of parental leave, flexible working, etc. The UK doesn't have the best record in those areas anyway, and this constitutes a serious threat to basic rights which are ofte

Martin Tod

Peter Howe

Gavin Greig

Paul Whittle

Dr D L Clements

S. Page      Regrettably I am not a statistician. My immediate reaction is that this will impact negatively on certain disadvantaged groups, in particular those with health problems.

Dave Harris

David Hunt

Roger Winter

Sara

LINDA WILKINSON

..

Peter Catterall

Cllr Richard Smith

Julia

Gareth Loveridge	
Sarah Haywood	
Graham Phillips	No comment.
Sheryl Waterhouse	These proposals will unfairly affect women more than men as they are more likely to need flexible working conditions/ maternity leave.
Nick Barlow	The EQIA misses that this will have a disproportionate affect across social classes and wage levels. It will boost the already rich by allowing them to shelter large gains in the capital gains tax exemption granted by this (how many regular investors will
David Edwards	
Candace Kendall	
Sue Bollom	
qwer	
Tom Roberts	
David Daws	
Peter Shouksmith	
Karen Teago	No comment
Charotte Puttock	
James Hackett	
Jane Edsell	
Rod Dowler	
Gemma Brown	
Shona McCulloch	
Alan Lewis	
CLIVE B. JOHNSO	
Iolanda Carneiro	
David Jobson	
Rona Miller	administrative burdens keep piling up
Helga Janzen	
Andrew Harrison	
Yvonne	
Chris Whitmore	
Nzube Ufodike	
Giles Robertson	
Alex Wasyliw	
Anna Dubert	
Paul Wild	Yes...its a stupid scheme..that wont work..just removes peoples rights foe something that has only a value to the employer ...£2000 worth of imaginary shares one day can be worth £2 a week later when the employer decided to get rid of that employer...Oh s

George Potter	This would be massively damaging and a retrograde step on all equality issues and would be a charter to allow employers to discriminate.
Gemma Roulston	
Fiona White	
Mark Widdop	
Helen Rowe	
David Chaplin	None
William Jones	
Joanne Green	Re: Equality Impact Assessment I have no views. However other equality and wider considerations that need to be considered is that companies may need to be informed of legal discrimination when seeking specific protected characteristics for recruitment in
Paul Clarke	
Andrea Jones	
Lola Kiss	
Simon Charters	
Nicholas D Hart	I believe it to be wholly misguided, because it assumes total rationality and fairness on both sides. in practice, if the only new benefit to a company is the ability to dismiss, and that new ability does not extend to over 50% of its employees (all femal
J. Janus	
peter hough	
David Winton	
Pauline Wilkes	
Aaron Hussey	
Derek Scott	
Alexandra MvAdam	The assessments are crucial. In a wider context, youi need to look at the impact on restricting flexible working requests (reqeusts in any case are not automatically granted) on women who want to return to work but have childcare or elder care responsibil
Fiona Reid	
Alexandra McAdam	
Graeme Taylor	
Brian Berry	no
xx	
Professor Deborah	
john murphy	
Carol Tricks	
Steve Parfett	
Tracy Connell	
Jon Robinson	
Doug Shaw	

jeremy tobias-tarsh

Fiona Aldridge

simon garbett

Belinda McIntosh

Robert Edwards      The points in Q23 are the most important.

anita monteith

Kevin Aggett

Tim Lloyd

Fiona Bell

Anon                      Don't know

Roger Chater            Bad news for women and generally exploits the current vulnerable position of workers if any employer is to be free in future to make it a condition of employment.

Craig Edmondson

Dale Sinclair

Niki Rosenbaum

Neil Jones

Graeme Dickson        It may weaken the righthst for the weaker members of society and those that the law shoudl be protecting.

Daniel Sear

Della Thomas

Chris Devine

J Mackenzie

Matthew Bleasdale     The equality impact assessment doesn't recognise the difference between legislation and practice in terms of dismissal. The fact that legislation is in place has no bearing unless there is access to redress, in the case of equality issues it is often the

Flora Jafarzade