

## Family Office: five top tips when recruiting employees

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### 1. Recruit in the right way

Consider carefully who should be the employer (e.g. a company, a trust or an individual).

Avoid anything that suggests you might be discriminating (e.g. in the wording of job descriptions / specifications, advertisements or interviews).

Carry out pre-employment checks, e.g. take references from previous employer(s), immigration checks and a Disclosure and Barring Service criminal record check, if appropriate.

### 2. Prepare a tailored contract of employment

By law, you must provide your new employee with a written statement of certain basic terms (e.g. their entitlement to holiday and sick pay, and the length of their notice period) within two months of them starting employment.

However, it is best practice to prepare a more detailed contract to ensure your interests are protected, and expectations managed, appropriately from the outset. If there is an international element, consider taking local legal advice.

### 3. Consider confidentiality, post termination restrictions and data protection

Ensure the employee understands the importance of confidentiality and agrees in writing to adhere to confidentiality obligations that cover all relevant parties and information, as well as other post termination restrictions that may be required (e.g. non-compete and non-solicitation provisions).

It is good practice to have written policies that allow you to monitor emails and use of computers and other business equipment (as well as other policies addressing discipline, grievances and equal opportunities).

Also bear in mind that, if (as is likely) you will be processing personal information in the UK, you must register with the Information Commissioner's Office (subject to limited exceptions).

### 4. Pay appropriate income tax and National Insurance contributions

You must register as an employer with HM Revenue and Customs.

You will be responsible for deducting income tax and employee's National Insurance contributions from your employees' pay and for paying employer's National Insurance contributions. If your employees receive any benefits, this will also affect your / their tax liabilities.

### 5. Consider health and safety and obtain insurance

It is vital to undertake a thorough assessment of the risks to safety in your workplace, even if you only employ domestic staff. You should obtain employers' liability insurance and may need other insurances in certain circumstances (for example, if your employee works at home, or if they use your private car for business purposes). Check your public liability insurance if you have visitors attending connected with your employees.

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