



Mexborough Estates Case Study

Breathing Space HR Ltd client since 2012

Mexborough Estates extend over diverse land and property spread throughout England, although largely located in Yorkshire. They are mainly agricultural, comprising of in-hand and tenanted farmland in addition to forestry, moorland, mineral, development and built property interests.

Culturally, the Estate was highly traditional in approach to employees and their management.

Ensuring the Estate complied with employment law & GDPR legislation

Like most Estates, legal documentation with regard to employment was out of date and unfortunately not fit for purpose and key policies were missing. An employee handbook was introduced to ensure legal compliance. Breathing Space guided employees through the detail of the new contracts and ensured historical entitlements such as the Agricultural Wages Order (AWO) which ended in 2013, were continued in the new employment contracts.

Creating job descriptions and restructuring

Breathing Space carried out a face to face exercise to create accurate job descriptions for all roles within the Estate. This exercise ensured that all employees had a clear understanding of their day to day tasks and responsibilities. It identified to the Estate where there were gaps in work completion and work duplication which enhanced the productivity of all employees. This project informed the business decisions for the structure of the Estate going forward.

Re-structuring the Forestry and Gamekeeping

Following the successful setting up of a Joint venture for Mexborough's Grouse Moor, the decision was taken to let out the Pheasant Shoot land, said to be one of the best Shoots in England.

Managing the process, Breathing Space were able to advise the Estate Director and Landowner in the key processes required in law. Supporting the Estate in the required consultation process, pre-empt issues from being raised with solutions upfront and address issues raised by the employees. We ensured that all documentation and key communications were drafted and agreed. We advised on individual issues such as providing for re-training in another career path and re housing.

Breathing Space dealt with all calculations required, design of legal paperwork and negotiation with employee representatives (Gamekeepers Association)– taking instruction from the Estate Manager and Landowner.

As HR consultants we can be present at all meetings with individuals supporting the Management and ensuring that all employment law requirements are met, without need for reference to the Estates legal advisors.

The re-structure of the Shoots has increased revenue to the Estate and made considerable savings in employee costs and housing.



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Household Self-employed persons

Without a clear arrangement there is a potential for an employee/employer relationship to be argued – this can create rights to fair dismissals, redundancy pay and holiday pay.

In Mexborough the cleaning staff were without any formal agreements in terms of their work status. This has major implications on tax, National insurance contributions and IR35 regulations.

We designed a self-employed contractor's agreement with a pro forma invoice attached to ensure that there was a written agreement on the working relationship and payment method.

DBS, Legal Checks and References

It's very important that all employees had the necessary identity checks and right to work checks done – not holding this information can create a £5000 fine for each employee who doesn't have this information held on file. Any staff that are left alone with vulnerable persons, children or adults, require a DBS check confirmed. Breathing Space ensured that the Estate carried out these checks and organised and ensured that all documents were reviewed and then scanned and filed securely.

Nanny contract of employment

The legalities of hiring and managing a Nanny in a domestic home is complex. The working time regulations only apply in certain circumstances – this is a complexity of law which required careful thought. Breathing Space carried out an investigation into the working practices for a Nanny and developed a contract of employment which was accurate to the circumstances required from this working relationship.

Health and Safety

Breathing Space HR will be involved when the wellbeing of an employee is being considered. Concerns for an employee with hearing difficulties was explored and Breathing Space ensured that risk assessments were carried out and an Occupational Health report was obtained regarding the employee so that the Estate could meet its duty of care to the employee and ensure compliance with Health and Safety Regulations.

If you have any questions or wish to arrange a meeting with Breathing Space, please contact:

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