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The price per delegate for each half-day session is £275 plus VAT, or please ask about our flexible pricing offers. To make a booking, please contact hrtraining@foxwilliams.com.

Wednesday 25 September

Ending the employment of executives: managing the risks

The reputational and financial risks associated with terminating executives means that this is an area that needs strategic input and guidance to properly assess and mitigate against these risks. In this course we examine the key issues to be aware of when providing internal guidance in these often highly sensitive situations.

Aim

To develop participants' understanding of the key elements of a termination package for an executive and to explore the tactics of "without prejudice" conversations.

Objectives

By the end of this three-hour course, participants will:

- Be able to consider likely losses arising from a dismissal as the basis for a negotiation with reference to a checklist, including losses which arise more commonly for executives: bonus, share options and termination of office as well as employment
- Have explored tactically how and when to end an executive's employment
- Be able to state the requirements for a discussion to be "without prejudice"
- Have explored garden leave and restrictive covenants as options for protecting business interests while ending an executive's employment

Course outline

10am Introductions & objectives

What risks are you managing?

- Contractual claims: wrongful dismissal including notice & bonus
- Share options
- Statutory claims: unfair dismissal/discrimination/whistleblowing
- Protecting commercial interests: garden leave or restrictive covenants?
- Loss of office & employment

Negotiating settlement

- How much are these risks worth?
- Taking advice about share options
- Executive's duty to mitigate loss
- Recovery of shares
- References & announcements

Settlement agreements

- Tailoring required
- Independent legal advice
- Tactics: timing & opening offer
- "Without prejudice" discussions
- Taking advice about taxation of settlement

Questions & Answers

1pm Close

*There will be a 15-minute break at an appropriate time.
Lunch will follow the course.*