

Chartered Institute of Personnel and Development



# UPDATE

The regular update for the CIPD members in Merseyside,  
North Cheshire, North Wales and Isle of Man

**'tis the season  
to be jolly**

When is a Company liable for discriminatory acts  
committed by their employees?

**New Year Opportunities**

**Upgrading Your Membership**

**Delegate or Die!**

**Stress Management**

**December 2006**

# Letter from the Editor

## Dear Member

As I write this the clocks have just gone back, but when you read it, we will nearly be at the shortest day! How time flies.

Most of us, I guess, would confess to having very little spare time, so we need to use what we have wisely. You will find the diary page packed with events to help with your own development, which can so often be neglected. You are welcome to bring colleagues to take up the opportunity to network with like minded people.

As well as the regular evening events, which are always popular, don't miss out on the opportunity to attend the various full day events – they are fantastic value for money.

On 16 January, we will be holding a planning session to review forthcoming events to ensure that we provide what you want locally. Please come along if you would like to contribute to this

Please check the website for further details and to book.  
[www.branchwebs.cipd.co.uk/merseyside/](http://www.branchwebs.cipd.co.uk/merseyside/)

Regards

Cathy Blades.



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## From the Chair

## New Year Opportunities

Although you will be reading this in December, due to printing schedules it was written in October, when I had just returned from the CIPD Harrogate conference.

The conference was an excellent experience and I recommend it to all. I saw, from the seminars I attended, a theme that emerged strongly.

Martin Seligman, in his session '**Authentic Happiness – the pursuit of fulfilment at work**', identified 6 virtues and 24 character strengths. He recommended that everyone identify the key strengths and work on developing and using them. You can identify your strengths by completing the VIA test at [www.authentichappiness.org](http://www.authentichappiness.org)

The closing key note speaker Marcus Buckingham focused his attention on strengths. In his session 'What great managers do' he identified that having the opportunity to do what you do best every day is the critical factor for performance. He thus recommended that people should

have this opportunity. In the UK currently only 9% of people spend most of their day playing to their strengths, and he encouraged us all to focus more on our strengths, developing and utilising them.

What are your strengths? Are you using them as much as you can? Do you need to develop them? What can the CIPD locally and nationally do to assist you?

Do give us feedback on the above. If you do something for 21 days it becomes a habit so I ask you to identify a strength and develop it for 21 days and see what impact it has!

I hope you have a great Christmas and New Year and I look forward to working with you in 2007

Krista Powell Edwards  
Branch Chair



# 'tis the Season to be jolly

When is a Company liable for discriminatory acts committed by their employees?

"If I could work my will," said Scrooge indignantly, "every idiot who goes about with 'Merry Christmas' on his lips, should be boiled with his own pudding, and buried with a stake of holy through his heart. He should!"

Charles Dickens' A Christmas Carol

**Whilst no Company wants to be seen as a festive humbug during the Christmas period there are some very real dilemmas regarding office parties in the context of discrimination law. Any act done by an employee in the course of his employment is treated as also done by his Employer.**

In short, if an employee commits a discriminatory act whilst at work and this allegation is upheld by an Employment Tribunal, the Tribunal will decide whether the Company or the Individual, or both should be held liable to pay any award for compensation. The Employee who committed the act could be held personally liable as could the Employer if the act occurred in the course of that employee's employment.

Historically awards of compensation were made against the party who had the greater ability to pay the compensation, usually the Company, despite the fact that the Company had not condoned the act of discrimination committed by the Employee. It was thought that if the individual who committed the act was made to pay the compensation solely this could result in the victim receiving no money should the harasser refuse to make the payment. The relative good news for Companies is that Tribunals are now increasingly making awards against the guilty individual rather than with reference to the Company's greater ability to pay. However, it still remains that an Employment Tribunal can still choose to make an award against the Company or individual (the harasser).

## Acts of discrimination

The most common acts of discrimination that are likely to occur at social functions are related to Direct Discrimination and/or harassment. For Direct Discrimination, the victim would have to prove that they were subjected to some remark or conduct on the grounds of their sex, race, sexual orientation, religion, religious belief or age and treated less favourably than a person of the opposite sex or of a different race, sexual orientation, religion or religious belief or age. For instance if a male colleague makes a sexual comment or inappropriately touches a female colleague could it be argued that but for the fact she was a woman, he would not have treated her in this less favourable manner.

An act of harassment may be founded if a colleague subjects another colleague to unwanted conduct on the grounds of sex, race, religion, religious belief, sexual orientation, disability or age, which has a purpose or effect of violating that person's dignity or creating intimidating, hostile, degrading, humiliating or offensive environment for them. It really doesn't take much imagination to appreciate that acts of this nature may occur within an environment where alcohol has been taken and inhibitions maybe somewhat lowered.

## What does 'in the course of employment' mean?

The dilemma for any Company is that Christmas parties may be seen as occurring during the course of the Employees employment. If so, the Company could be liable for any compensation awarded. Cases involving

discriminatory acts committed at Christmas functions which have occurred off site but during work hours have been seen as taking place in the course of employment. Similarly an office party which occurs on site but outside of working hours has been held to occur in the course of employment. Furthermore, a Company that organised and paid for a Christmas party which occurred outside working hours and was off site still rendered the Company liable to pay an award of compensation.

A high water mark in the interpretation of what amounts to "in the course of his employment" was reached in the case of **Chief Constable of Lincolnshire Police -v- Stubbs**. Mrs Stubbs was a serving Police Officer who went to a pub after her turn of duty. A male Police Officer approached her, flicked her hair and rearranged her collar, giving her the impression to onlookers that there was relationship between them. On the second occasion, she attended a leaving party with her boyfriend when the same male colleague made a discriminatory comment to her. Mrs Stubbs said she was humiliated and distressed by the comments which would not have happened but for the fact that she was a woman. The Tribunal upheld her claim for sexual harassment and went on to debate whether the act was committed during the course of the harasser's employment.

Despite these acts happening at functions which had neither been organised nor paid for by the Police Force and that were not on site or within working hours, the Tribunal held that these incidents were connected to work and the workplace. "They would not have happened but for the Claimants work. Work related social function is an extension of employment and we can see no reason to restrict the course of employment to purely what goes on in the workplace."

## How can a Company protect itself?

Following this reasoning a Company may be liable for any acts of discrimination that occur at a Christmas party regardless of the circumstances. For this reason some Company's are choosing not to hold or organise any Christmas parties or functions whatsoever. This may be an overreaction to the situation and it is always open to the Company to argue that they took such steps that were necessary to prevent any Employees from committing acts of discrimination.

For this defence to have some force, Companies should have equal opportunities and/or dignity at work policies that have been communicated to the work force. These policies must have been proactively implemented with Team Leaders, Supervisors or Managers receiving training on these issues. By doing this the Company may be able to persuade a Tribunal that the ethos of the Company is very much one that supports equal opportunities and dignity at work. The discriminatory act may still be found to have occurred in the course the harasser's employment but the 'reasonable steps' defence will certainly help the Company in reducing any reward of compensation.

**The moral of this Christmas story is that parties can go ahead and Employees can enjoy themselves, but from the Company's point of view it may be advisable that a message is circulated to all Employees who are attending to be mindful of their actions.**

Andrew Galvin, Employment Law Solicitor, EEF North West

# Upgrading your membership has its rewards

## CIPD designation after your name

If you upgrade your membership you'll be able to use a CIPD designation after your name. This:

- is instantly recognisable to employers, clients, peers and the wider public
- properly reflects your knowledge and experience, which strengthens your professional credentials
- ensures that your skills and expertise are fully recognised.

If you remain a Graduate member, you cannot use any form of CIPD designation after your name.

## Enhance your marketability

Being a chartered member will confirm to employers that:

- you're a knowledgeable and skilled person
- you understand the wider business context in which you operate
- you can translate your knowledge into practice.

Our research also shows that chartered members are more likely to succeed when applying for advertised positions than their graduate counterparts. They're also better placed to command higher salaries and benefits.

## Your profession benefits too

As your personal professionalism and capabilities become more widely recognised, this will reflect favourably on the profession as a whole.

## Take a more active role within the CIPD

As a chartered member, you'll be eligible to vote on constitutional matters and you can apply to be a branch officer

**As you can see - there are lots of advantages for upgrading, so why not commit to it?**

(Courtesy of CIPD Website)

## LOCAL HELP WITH UPGRADING

The process of upgrading has been simplified, so if you have been putting it off, then please think again. Through the years of doing this, I know that many people keep meaning to upgrade, but with busy jobs and a life to fit in, it is not always easy.

### LOCAL UPGRADING WORKSHOP

**Monday 22 January 6.30 – 7.30pm (Venue to be confirmed)**

To give you an incentive, I have set a date for a local Upgrading workshop in the new year. I will talk through the process, (which really is simple), provide tips on how to get through first time (up to 40% of applications are referred due to lack of information provided) and then advise on any individual issues. Sometimes having a date to work to is the spur we need!

Following this, if there is sufficient interest, I will organise a local Upgrading Panel in February. This involves bringing your application along to be seen by panellists who will review the forms, ask some questions and indicate whether you have achieved the upgrade.

It is particularly useful for anyone who does not have a straightforward CV, since panellists can ask you questions at the time. In my experience, it also makes people get around to upgrading. If you have an appointment then you have a deadline to work to which means you won't put it off!!!

If anyone is interested in attending the workshop or would like to attend a local panel, please contact me through the website.

Alternatively, you may contact me on **07947 817755** (but please not between 26/12 and 10/01/07 when I will be out of the country!)

Cathy Blades, Branch CPD Advisor

# DELEGATE OR DIE!

One of the major factors impacting on people's effectiveness is their use of time. I was interested to see that the first chapter of 'The John Adair handbook of management and leadership' is time management. Do you manage your time well?

If you are a manager a key skill is delegating. You will not be using your time well if you do not delegate –indeed if you don't, beware! You aren't using your precious time and people resources as effectively as you need to and it could have fatal consequences on your business success.

## Why don't people delegate?

- They don't know what delegation is
- It takes time to implement effectively

## Why should you delegate?

- It promotes better team working
- You can focus on your real priorities
- You are less stressed as you're not trying to do everything
- It improves communication
- It is a great development tool

## Here are some tips to help you manage this most misunderstood process

### Understand what delegation is (and what its not)

Effective delegate is a process – its not 'dumping'

### Keep a time log

Find out what tasks you are doing that could or should be delegated. Outsource none value added tasks

### Make time for thinking and planning

This reduces 'fire fighting' and you will be able to identify more clearly what can be delegated

### Focus on the positive

Identify that effective delegation is great for everyone – you, your team, the company. Delegating high enjoyment tasks (yes, you must) will motivate and encourage others.

### Take it slowly

You will need to communicate and train – allocate lots of time to this so the delegation is successful

### Do a delegation audit

Identify what could, should, must be delegated, what can't be and why.

### Understand your fears

Why don't you delegate? Working out what is getting in the way is the first step to getting there.

### Communicate, communicate, communicate

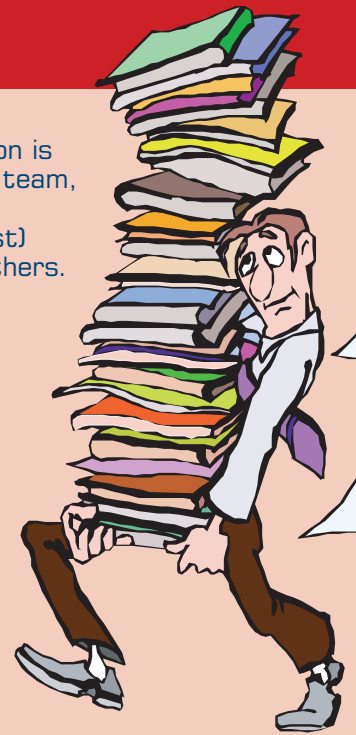
You must inform, talk, discuss – don't assume anything

### 4 Option Approach

Use the 4 option outline for agreeing authority between delegator (you) and delegatee (them)

|                         |  |
|-------------------------|--|
| Delegatee does the work | Delegator decides                      |
| Delegatee does the work | Delegatee recommends delegator decides |
| Delegatee does the work | Both decide                            |
| Delegatee does the work | Delegatee decides                      |

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Humanistics Training and Consultancy



## Don't forget to use the website!

Did you know that you can get the latest update on your favourite HR topics direct into your e-mail account.

I get the employment reports and trends in different economic sectors and it helps me compare with the

trends in my own organisations... I also use it for updates and trends in reward and employment law and many more... so go on click on the following and subscribe... it's free if your a CIPD member

<http://www.cipd.co.uk/news/cipdupdate>



Griff Owens,  
Web Editor



Faculty of Business and Law

## Professional Qualification and CPD opportunities

### Certificate in Business Management – Gain Licentiate Membership of CIPD

A one-year part time programme business and management qualification, which covers the CIPD Leadership and Management syllabus. Successful completion gives licentiate membership of CIPD and entry to the MA Personnel and Development programme.

### MA Personnel and Development – Gain an MA at the same time as Grad CIPD

A two-year part time programme, which is accredited by CIPD, it is open to those who have completed the CIPD Leadership and Management programme. Successful completion leads to Graduate Membership of CIPD and the MA qualification.

### MA Strategic Human Resources – Top up your professional qualification, gain an MA

A one year programme designed for experienced HR practitioners who are corporate members of CIPD, you will attend for three, two-day blocks followed by six action learning sets to support the development of your dissertation. Successful completion leads to the award of MA Strategic Human Resources.

Further information is available from Melanie Earle – Programme Administrator tel: 0151 231 3800 email: [blwpg@livjm.ac.uk](mailto:blwpg@livjm.ac.uk)

# STRESS MANAGEMENT EVENT -

THURSDAY 15TH FEBRUARY 2007

Its 9am in the morning and you are sitting at your desk with a cup of coffee going through the post tray. You are thinking of the day ahead and you are planning to sort out the never-ending paperwork and actually file it for once!! You look through the post and casually put it to one side telling yourself you will sort it later. Then, out of the corner of your eye you see a GP's sick note... your hands get sweaty and your heart starts to beat faster... the name is for one of your senior managers and says the dreaded words...

**SYMPTOMS, WORK RELATED STRESS. AAAH!!**

It's one of those absence types that is increasing, however as HR professionals.

How can we recognise stress BEFORE an employee is off work sick?

How can we support our employees and remove the STIGMA that is sometimes associated with stress?

How can we ensure that employees are SUPPORTED and as employers we are REASONABLE with our actions?

What about the LAW, have and how have the changes to the disability discrimination act affected the workplace?

These are questions the Chester Special Interest Group is hoping to answer at the Stress Management Day, which is being held on the 15th February 2007 at the Ramada Jarvis hotel on Whitchurch Road in Chester.

Speakers for the event include Phil Bramhall from Bramhall solicitors, Tim Roberts a Member of the National Council of Psychotherapists, HSE and much more. There are even relaxation therapies throughout the day so, why not come along and de-stress yourself!!

Most of you know Phil Bramhall, he is a solicitor and an expert in employment law. He will be providing an insight into the law and recent cases relating to the disability discrimination act focusing on the area surrounding mental health.



Tim Roberts will be providing an insight into conflict management and strategies to reduce workplace conflict, which is one of the biggest causes of stress in most organisations. Tim has been a conflict facilitator for 20 years. He is also author of 'The Human Factor' and has worked with and developed courses for politicians, CEOs, directors, managers, HR professionals, lawyers, mediators, negotiators, educators and health and police services. Tim has also acted as an adviser to a TV production company who made a programme on organisational conflict.

So if you would like to come along and find out more about managing and reducing stress in the workplace, fill in the booking form which is on the events page of the Branch website. Alternatively send your request to Sam Ferguson on email: [ferguson\\_sam@hotmail.com](mailto:ferguson_sam@hotmail.com).

**If you would like to find out more information about the event you can e-mail [k.cregan@chester.ac.uk](mailto:k.cregan@chester.ac.uk), [sara.johnson@hotmail.com](mailto:sara.johnson@hotmail.com) or [anwen.lang@tetrapak.com](mailto:anwen.lang@tetrapak.com)**

The day begins at 9.30am and finishes around 4pm so plenty of opportunities to network and partake in the relaxation therapies!! We look forward to seeing you there.

#### Prices for the event are as follows:

Members - £50.00

Non-Members - £75.00

Students - £25.00

**Book via the website**

## North Wales needs you!

Merseyside, North Wales and North Cheshire Branch covers a vast geographic area, including the Isle of Man. To ensure we provide coverage for members with local events, the Branch is organised into a number of geographic groups.

Unfortunately, North Wales is not currently represented.

If you are interested in having events in North Wales and could spare a little time to help organise them, please come along to the next meeting where we will be reviewing events across the Branch.

Don't worry if you don't have experience of organising or feel you don't know how to get speakers etc - there is plenty of help available from those who have experience of this.

What you do need is enthusiasm and a desire to see some local events in North Wales.

Please contact Krista Powell Edwards (Branch Chair) to let her know you are interested or that you will attend on Tuesday 16 January 2007 at the Ramada Jarvis Hotel, Christleton, Chester at 6 for 6.30pm and enjoy some bacon butties and champagne!

**(Please book for this event on the CIPD website)**

# Events Diary

All Bookings to be made via the  
online booking system on: [www.cipd.co.uk/branch/merseyside/events](http://www.cipd.co.uk/branch/merseyside/events)

## JANUARY 2007

### Saturday 13th

**Event:** **Harrogate CIPD Conference Review**  
Missed the CIPD conference in Harrogate?  
Come along to hear about some of the speakers.  
If you went, come and share what you discovered.

**Venue:** Ramada Jarvis Hotel, Whitchurch Rd,  
Christleton, Chester CH3 5QL

**Time:** 10am - 1pm

**Cost:** Free

**Contact:** Please book via website or ring  
Krista Powell Edwards 01978 753026

### Monday 15th

**Event:** **Liquid Thinking (Joint event with CMI)**  
Damian Hughes will explore managing change  
at Unilever.

**Venue:** University of Chester, Padgate Campus,  
Crab Lane, Warrington WA2 0DB

**Time:** Light buffet from 6.30 for 7pm start

**Cost:** Free of Charge but please book place to ensure  
adequate seating and refreshments

**Contact:** Please book by website or ring 07947 817755  
Cathy Blades but not between 26 Dec and 5 Jan

### Tuesday 16th

**Event:** **Events Planning Meeting**  
Join us for bacon butties and champagne whilst  
planning and reviewing our forthcoming events.  
Tell us what events you would like and hear what  
is planned for the coming months. Your chance to  
influence the 2007 programme.

**Venue:** Ramada Jarvis Hotel, Whitchurch Rd,  
Christleton, Chester CH3 5QL

**Time:** 6 for 6.30pm start

**Cost:** Non-Members £40.00, Members £35.00,  
CIPD students with CIPD membership number  
2006/7 £30.

**Contact:** Booking is essential (Please book by website)

### Monday 22nd

**Event:** **Upgrading Workshop**  
Come along to discover how to upgrade  
successfully.

**Venue:** to be decided – check website for details

**Time:** 6.30 – 7.30pm

**Cost:** Free

**Contact:** Please book by website or ring 07947 817755  
Cathy Blades but not between 26 Dec and 5 Jan

### Monday 29th

**Event:** **The Development of Statutory Disciplinary  
& Grievance Procedures**  
Kerstie Skeaping will provide an update on  
Disciplinary and Grievance Procedures.

**Speaker:** Kerstie Skeaping from Halliwells Solicitors

**Venue:** Merseyside Police HQ, Canning Place, Liverpool,  
Merseyside L1 8JX

**Time:** 6.30pm start - light buffet available at 6.00 p.m

**Cost:** Free for CIPD members, non members £20

**Contact:** Booking is essential (Please book by website)

## FEBRUARY 2007

### Tuesday 13th

**Event:** **Isle of Man Recruitment and Retention  
Survey Report**  
Details to be confirmed - Check the website.

**Contact:** Contact Ann Anderson - via website

### Thursday 15th

**Event:** **Stress Management - Full Day Event**  
Various speakers will explore this popular topic.  
See article on page 6 for details. An event you  
cannot afford to miss! See article page 5.

**Venue:** Ramada Jarvis Hotel, Whitchurch Rd,  
Christleton, Chester CH3 5QL

**Time:** 9.30 to 4pm

**Cost:** Members £50 Non Members £75 Students £25

**Contact:** Find out more e-mail k.Cregan@chester.ac.uk,  
sara.johnson@hotmail.com or  
anwen.lang@tetrapak.com To book: Use the booking  
form on the branch events website or send your  
request to Sam Ferguson on email:  
ferguson\_sam@hotmail.com.

### Saturday 24th

**Event:** **NLP Conference Saturday**

**Speaker:** TBC

**Venue:** Ramada Jarvis Hotel, Whitchurch Rd,  
Christleton, Chester CH3 5QL

**Time:** 9.30 - 4.30

**Cost:** TBC - Check the website

**Contact:** Fuller details including costs on website

## MARCH 2007

### Thursday 8th

**Event:** **Mock Tribunal - Full Day Event**  
Following the success of last year's event, this will  
be a unique opportunity to be involved in an  
inter-active programme, you'll have the chance to  
gain experience from some of the most highly  
qualified and experienced legal practitioners in the  
North West. The tribunal will be based on an unfair  
dismissal case and will be inter-active, giving  
participants the opportunity to become involved in  
the tribunal process, by preparing questions;  
evaluating evidence and responses; and assessing  
the likely outcomes of the case. Participants will  
also gain knowledge of the requirements and  
procedures of employment law tribunals.

**Speaker:** Kerstie Skeaping plus 3 Lawyers/QCs from  
Halliwells Solicitors

**Venue:** The venue will be a fully accessible site  
in Liverpool

**Time:** 9.30 to 4.30pm

**Cost:** Members £50 Non Members £75  
Students £25 Cost will include handouts,  
all refreshments and meal

**Contact:** Booking is essential (Please book by website)

All charges are inclusive of VAT

**BRANCH**

BRANCH CHAIR Krista Powell Edwards 01978 753026 (h/w)  
 Krista@humanistics.org.uk

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 taylorney@yahoo.co.uk

**PAGE SPECIFICATIONS AS FOLLOWS:**

Full page: 230 x 174 mm Full page £1000 + vat  
 1/2 page portrait: 230 x 84 mm Half page £550 + vat  
 1/2 page landscape: 112 x 174 mm  
 1/4 page 112 x 84 mm Quarter page £350 + vat

We do not publish advertorial copy (see advertisement costs per page which will apply).

**INSERTS**

Single page flyers will be inserted at £400 + vat. Inserts, over 90gsm will be £450 + vat. 2 sheet inserts, (4 sides) will be £800 + vat. There will also be a limit placed on the number of inserts allowed within each edition, therefore it will operate on a 1st come 1st served basis. Please ensure you book your insert or advertisement directly with the Editor who will confirm costs and deadlines.

Circulation currently stands at 4000+. We require you to provide 4500 copies of your insert. Delivery details will be confirmed by the Editor or Branch Administrator at the time of booking. Please note:- inserts and advertisements must arrive by the deadline to guarantee insertion. Editorial reserve the right to delay distribution to members if required.

**Special prices for CIPD members**  
**For a competitive quote and quick turn around on print, design and production of advertisements or inserts contact: Melanie MacNab or Natasha Alaimo at Enlighten on Tel: 01625 855980 Fax: 01625 856941 Mobile: 0776 2432099 email: natasha@enlightencommunications.co.uk**

**Copy deadline: articles, contributions and bookings for inserts and advertisements must be received by Friday 26th January 2007.**  
**Contact:** Cathy Blades  
 E-mail: updateeditor@yahoo.co.uk  
 Tel: 07947 817755

Branch Website:  
<http://www.cipd.co.uk/branch/merseyside>

Organisations or individuals wishing to write copy for the UPDATE must respect the following guidelines:

Articles must reflect research, novel approaches, best practice and be of sufficient depth to be of interest to our membership.

Anything pitched at the subject area of the Professional Qualification Scheme (excluding option modules) is unlikely to warrant publication unless it meets the above criteria.

We require copy to be sent via e-mail or on disk, with hard copy back-up provided as Microsoft Word or text document. Company logos & images must be provided as Illustrator eps or Jpeg files.

**Update schedule for 2006/7**

**Recommended Deadlines for articles**

Friday 26th January 2007  
 Wednesday 25th April 2007

**Delivery to members**

Monday 5th March 2007  
 Monday 4th June 2007

We've given **Beaverbrooks** something to smile about

Put communication first for **Provident Financial**

Put the 'Ping' into home shopping for **JD Williams**

Even gave **Allerdale Borough Council** recognition with psychedelic sheep!

Recruitment and Employer communications – branding solutions that make a big difference.

Be enlightened.  
 Call Melanie MacNab:  
**01625 855980, 07762 432099**

melanie@enlightencommunications.co.uk



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