

A practical compliance checklist for UK small businesses

HR software, yes. But your compliance partner too.

Running a small business means wearing a lot of hats. HR is often just one of them.

But when it comes to people compliance, getting the basics right isn't optional. It protects your business, supports your people and gives you confidence that you're doing things properly.

That's where Breathe comes in.

We're not just here to help you manage holiday requests or store documents. We're here to help you build solid, defensible people processes that stand up when it matters most.

Because compliance isn't about ticking boxes. It's about being able to evidence what you've done, when you did it and why. If you can't evidence it, you don't have it.

Use this checklist to sense-check where you are today.

It's designed to help you spot gaps, strengthen your processes and feel more confident that your people practices are built on firm ground.

For each area, ask yourself two simple questions:

- Are we doing this properly?
- Could we evidence it if we needed to?

If the answer is "not sure", that's your starting point. And it's exactly where Breathe can help.



1. Hiring and right to work

Getting hiring right protects your business from day one.

We carry out compliant Right to Work checks before employment begins

We securely store dated evidence of every check

We issue written particulars on or before day one

We update contracts and confirm changes in writing when terms change

Evidence you should have:

- Copies of Right to Work checks
- Signed contracts and written particulars
- Version-controlled documents showing updates
- Clear records of contractual changes

How Breathe supports you:

- Secure document storage in one central place
- Structured onboarding workflows so nothing gets missed
- Digital acknowledgements and e-signatures
- A clear audit trail of what was issued and when



2. Pay, payroll and working time

Pay errors are one of the fastest ways to lose trust or face risk.

We're confident we meet National Minimum Wage requirements

We accurately record working hours

We maintain clear payroll and pay records

We calculate holiday pay correctly, including variable pay where relevant

We provide payslips to employees

We have updated our Statutory Sick Pay policy to reflect that, as of April 2026, SSP is payable from the first day of sickness absence, with no minimum earnings threshold

We are aware that, as of April 2026, the Fair Work Agency can inspect and enforce correct payment of minimum wage, SSP and holiday pay

Evidence you should have:

- Time and attendance records
- Holiday pay calculations
- Payroll reports and pay history
- Clear documentation of pay decisions
- Updated SSP policy reflecting day-one entitlement and the removal of the lower earnings limit

How Breathe supports you:

- Accurate leave tracking linked to working patterns
- Centralised employee records
- Reporting to support audit trails
- Integration with payroll providers to reduce manual errors
- Absence management tracks sickness from day one, helping support accurate SSP records



3. Holiday and absence management 🌴

Leave and sickness need to be fair, consistent and well recorded.

Employees receive at least 5.6 weeks' statutory leave

Entitlement is correctly calculated, including for irregular hours

We keep accurate sickness and absence records

Statutory Sick Pay is managed correctly

As of April 2026, we keep adequate records of statutory annual leave entitlement, leave taken, carry over and holiday pay calculations and retain these for at least six years

We understand employee rights for maternity, paternity, adoption and shared parental leave

We understand employee rights to carers leave and time off for dependants

We document family leave requests and approvals clearly

We carry out pregnancy risk assessments where required

Evidence you should have:

- A clear leave policy
- Family leave policies
- Leave request and approval records
- Pregnancy risk assessments where applicable
- Documentation of statutory entitlements
- Absence logs
- SSP records and calculations
- Records of return to work conversations
- Holiday and holiday pay records retained for at least six years, including entitlement, leave taken, carry over and pay calculations

How Breathe supports you:

- Automated leave entitlement calculations
- Track absence and family leave consistently
- Real-time absence tracking
- Clear reporting and audit history
- Manager visibility to support fair decisions
- Holiday records are stored centrally with a clear audit trail, supporting the six-year record-keeping duty
- Sickness absence can be logged by employees in just a few taps, helping ensure accurate records from day one



4. Health and safety and workplace welfare

A safe workplace is a legal duty and a moral one.

We have employers liability Insurance

We have emergency evacuation plans

We have up-to-date, documented risk assessments

We carry out pregnancy risk assessments where required and review them during pregnancy

We provide relevant health and safety training

We record incidents and near misses

We maintain a current fire risk assessment in line with HSE guidelines

We have trained Fire Marshals

We have trained emergency First Aiders

We have an AED device (Automated External Defibrillator)

We have a LifeVac (Anti choking device)

We have appointed a competent person responsible for Health & Safety

We display the Health & Safety law poster with appointed people

We have arrangements to manage contractors and visitors safely on site

Evidence you should have:

- Risk assessment documents
- Records of any workplace adjustments
- Training completion records
- Incident logs and follow-up actions
- Documented safety policies

How Breathe supports you:

- Store and manage risk assessments securely
- Track training completion
- Record incidents in one central place
- Capture policy acknowledgements from employees



5. Equality, fair treatment and people processes

Fairness isn't just good practice. It's essential protection.

We have up-to-date anti-discrimination and harassment policies

Employees complete relevant training, including sexual harassment prevention

Managers follow a clear disciplinary and grievance process

We can evidence consistent and fair decision-making

We have a clear process for managing flexible working requests

Managers understand that employees can request flexible working from day one and requests are to be handled within two months.

Our whistleblowing policy explicitly covers sexual harassment as a standalone protected disclosure

We understand that the protective award for failure to collectively consult on redundancies has increased to 180 days' pay

Evidence you should have:

- Current policies
- Flexible working policy and documented requests
- Training records
- Meeting notes and investigation records
- Signed outcome letters
- Clear documentation showing consistency
- An up-to-date whistleblowing policy that references sexual harassment

How Breathe supports you:

- Centralised employee records
- Secure note storage
- Performance and review tracking
- Access to essential compliance e-learning like sexual harassment for Managers & employees
- Document requests and outcomes in employee records
- Distribute updated policies to all employees and track read receipts and training to evidence awareness



6. Pensions and statutory benefits

Auto-enrolment duties don't disappear, even in small teams.

We meet our auto-enrolment obligations

Contribution records are accurate and up to date

Employee communications are documented

Opt-outs are properly recorded

Evidence you should have:

- Enrolment records
- Contribution history
- Opt-out documentation
- Employee communications

How Breathe supports you:

- Organised employee records
- Clear reporting
- Secure document management
- A central record of statutory communications

7. Data protection and HR record security

People trust you with their personal data. You need to handle it with care.

Employee data is stored securely

Access is permission-based and controlled

We follow clear data retention policies

We can respond promptly to a Data Subject Access Request

Evidence you should have:

- Privacy notices
- Access logs
- Retention schedules
- Documented DSAR responses

How Breathe supports you:

- Secure cloud-based storage
- Permission-based access controls
- GDPR-conscious system design
- Centralised documentation for faster responses



8. Staying up to date with UK employment law

Employment law evolves regularly. Staying informed helps you make confident decisions and avoid unnecessary risk.

We stay informed about changes in UK employment law

We review policies and processes when laws change

Managers know where to find reliable guidance when questions arise

Utilise advice from [gov.uk](https://www.gov.uk) and [Acas](https://www.acas.org.uk).

We are aware of the Fair Work Agency, which as of April 2026 brings enforcement of key employment rights under one roof, including minimum wage, holiday pay, SSP and record-keeping

We are confident that our records and processes could withstand an inspection by the Fair Work Agency

Evidence you should have:

- Updated policies
- Documented policy reviews
- Records showing employees received updated policies
- A clear understanding of how recent employment law changes affect your business and what you have done to address them

How Breathe supports you:

- Centralised policy storage with version history
- Easy distribution of updated policies to employees
- A single place for people documentation and guidance
- Breathe keeps your contracts, policies, holiday, sickness and records in one place, making it straightforward to stay organised, evidence decisions and respond confidently if questions arise

Turn your compliance checklist into a working system

Compliance isn't just about having processes in place - it's about being able to show what you've done, when you did it and why.

Breathe helps you keep your HR processes organised, documented and easy to evidence, so you can manage your people with confidence.



Try Breathe for free