

# Business protection

Strategies for protecting recruitment businesses



## What is business protection?

- Protecting confidential information
- Protecting client contacts
- Protecting candidate databases
- Protecting your company's key assets
- Maintaining a stable workforce

## Why is it important?

- Ex-employees remain in the sector
- Social networking sites are a normal way of doing business
- The law is constantly changing
- The courts are increasingly upholding post-termination restrictions
- Acquirers and investors now focus on ownership and control of candidate data

## A good business protection strategy includes:

- Tailored sector specific post-termination restrictions
- Express provisions in restrictive covenants concerning the use of social media
- A comprehensive database, social networking and internet policy

## Allowing you to:

- Retain the value in your business by protecting your assets
- Protect your brand
- Resolve disputes in a cost-effective and timely manner
- Maintain confidentiality of client databases



# Your ownership of clients and candidates and the confidentiality of databases are key assets, you need to take appropriate steps to protect it.

Recruitment businesses are increasingly at risk as the use of social media becomes the norm, giving rise to novel forms of unlawful competition if key employees leave to join competing businesses. It's a complicated and rapidly developing area of the law, but as experts in the field we will guide you and help you develop an effective business protection strategy.

## Osborne Clarke's business protection expertise

We can provide you with business protection advice that is comprehensive, relevant and effective:

**Comprehensive** – we'll review your existing covenants and social network policy

**Relevant** – we'll help you to identify the risks that are specific to your organisation

**Effective** – our toolkit will protect your business and enhance its value

### Expert advice:

We are acknowledged experts in the field of business protection. As leading advisers to the sector, we know exactly how to deal with recruitment and resourcing issues in the UK and Europe, so clients benefit from our extensive experience.

Our unique 3-stage toolkit will determine how exposed you are and how best to reduce costs and risks. It's complicated but we can help.

### Stage 1 – Initial review

- Overview of employment contracts and policies
- Scoping exercise and impact assessment to identify risks for your company
- Assessment of how your business uses social media
- Consideration of commercial aspects to help develop your strategy going forward
- Agreement of 'information gathering' points

### Stage 2 – Implementation

- Analyse information gathered and identify best options for business protection
- Develop a business protection checklist and strategy
- Consider how the business protection strategy can be presented to your employees
- Use strategy to identify changes to be made to your client/candidate databases and use of social networking

### Stage 3 – Enforcement

- Know what steps to take when employees leave
- Follow our business protection strategy for swift and cost effective resolution of issues
- Benefit from responsive and decisive advice

If you want to hear more, please contact one of our specialist team.



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