

Top Tips for having a Christmas party

The invitation

Don't insist that all staff attend the Christmas party. Christmas is a Christian holiday, so don't pressure someone to attend if they don't want to on religious grounds. If the event is out-of-hours, remember that some people won't be able to come because of family responsibilities.

Secret Santa

If you're asking people to bring a 'Secret Santa' gift, ask that all gifts are inoffensive and something that would not cause embarrassment. Some gifts – notably underwear and sex toys – have sparked complaints in the past, and could be seen as harassment. Remember that 'secret santa' is voluntary and not everyone should be expected to take part.

Husbands, wives... and life-partners

If you're inviting employees' partners to the event, the invitation should include partners of the opposite and same sex, as well as husbands and wives, to avoid potential sexual orientation discrimination claims.

Avoid 'tittle tattle'

Avoid discussing promotion, career prospects or salary with employees who may use the convivial situation to discuss matters that are more suited to a formal appraisal or private meeting. The employee is likely to expect any career promises to be kept - even if the employer can't remember the conversation!

Curb drink driving

You are responsible for your employees' actions after they have consumed alcohol provided by you. It's therefore a good idea to hire a minibus for the end of the night, or provide the numbers of local taxi firms, to demonstrate that reasonable steps have been taken to minimise this risk.

Don't expect miracles the morning after

A contract exists between the employee and employer that they will be in a fit state to carry out the work they are being paid to do. You need to decide how lenient you're going to be to staff coming to work with a hangover, arriving late, or even not at all, and let them all know. More important is the safety of employees, especially if they need to drive or operate machinery. Tell them beforehand not to drink too much, or find alternative work for them until they are fit to resume normal tasks.

Age limits

Keep an eye out for the office junior and don't allow under-18s to drink. In an extreme example, an employer was found responsible for the death of a girl at the office party due to alcohol poisoning.

Misguided by mistletoe

Your staff policies on bullying, harassment and discrimination still apply at the office party, so make sure everyone knows this and what the policies are. Employers can end up paying for unwanted advances between co-workers if a tribunal sees the behaviour as evidence of a culture of victimisation or harassment.

Free booze

Be careful if you provide free drink or put a credit card behind a bar. In one case, three employees got drunk and had a fight after a seminar on improving behavioural skills. They successfully argued that their resulting dismissals were unfair. A relevant factor was that the employer had provided a free bar – and thus condoned their behaviour.

Don't ignore drugs in the loos

Under the Misuse of Drugs Act of 1971, it is an offence for an employer to knowingly permit or to ignore the use, production or supply of any controlled drugs, from cannabis to cocaine, taking place on their premises. This may also be a breach of the Health and Safety at Work Act 1974.

