

Newsletter

This edition of the Newsletter is intended to provide summary information about some new and impending Employment Legislation, together with changes in Statutory Payments that are due to be introduced. It also focuses on the rise in Employment Tribunal claims since Tribunal fees were outlawed. Further information on any of the subject matter contained herein can be provided on request.

Changes to statutory payments

1. Statutory Family Pay Rates (Effective from 1st April).

The standard rate of statutory maternity, paternity and adoption pay will increase from £140.98 to £145.18 per week.

This is however only payable if the employee has the appropriate service qualification and their weekly wage exceeds the National Insurance threshold of £116.00 per week (Again effective from April 2018)

2. Statutory Sick Pay Increases (Effective from 6th April).

The standard rate of statutory sick pay increase from £89.35 to £92.05.

Again, it is only payable if the employees wage exceeds the NI lower threshold.

3. National Living Wage and National Minimum Wage Rates.

The following are the current minimum hourly rates of pay and the rates which will apply from 1st April 2018:

Age	Current rate	Rates from April 2018
25 and over	£7.50	£7.83
21 to 24	£7.05	£7.38
18 to 20	£5.60	£5.90
Under 18	£4.05	£4.20

General Data Protection Regulations (GDPR).

New regulations are being introduced and will be effective from 25th May 2018. GDPR will replace employers' obligations are previously contained in the Data Protection Act 1998. Organisations should be conducting data audits together with reviews of their policies in the lead up to GDPR to ensure that they are compliant with the new regulations. The intention of the Regulations is to harmonise data protection laws across Europe, which is essential if we wish to retain trade links with Europe post Brexit. Retained Clients of Davies Associates will naturally receive help and support on amending their current Policies to become GDPR compliant.

Brexit

Whilst some negotiations have already taken place it is still uncertain as to what the rights of EU citizens who work in the UK will be when we exit Europe, as we are still awaiting confirmation on the immigration

arrangements that will apply. This does not affect all companies but could have a dramatic effect on employers who employ large numbers of EU employees' dependant on the outcome of the negotiations.

Gender Pay Gap Reporting

Employers with 250 or more employees only have until 4th April 2018 to produce and publish their Gender Pay Gap Report. The report should cover pay data from 2016 to 2017 and the differences between pay between male and female employees.

Effects of removal of Tribunal Fees.

Figures have recently been released by the Ministry of Justice which reveal that since tribunal fees were abolished in July 2017, that there was a 90% increase in Tribunal claims in the first quarter following the Supreme Court's decision to remove the fees. As it is no longer necessary for employees to pay an upfront fee to make a claim to a Tribunal this has no doubt led to the immediate increase in claims, which is likely to continue.

Employers should therefore take care in dealing with matters of discipline and managing employee's performance, as the cost of getting it wrong could lead to successful claims for unfair dismissal. Companies should be mindful that it is not only the cost of settling successful claims but also the time involved in preparing cases in preparation of legal proceedings, together with the cost of paying for legal representation.

Davies Associates advice to employers is that they have robust policies in place for dealing with matters of discipline and grievance and that their managers are trained in dealing with such matters. Follow the Acas Code of Practice when developing such policies and finally take professional advice before making decisions to take formal disciplinary action particularly when it amounts to decisions to dismiss an employee.

What Next?

The Government had previously announced its intention to extend Shared Parental leave to cover Grandparents and to simplify the current rules relating to Maternity and Adoption leave. This change is still likely to happen so please look out for future editions of the newsletter for further information on this.

General Advice

Clients Companies are advised to review their existing contractual arrangements with their staff to establish whether any contractual amendments or changes to Policies and Procedures or other action is necessary on their part resulting from the changes identified in the Newsletter. Client Companies will however be contacted directly if they subscribe to a fully retained HR support service and require changes to either their Statement of Written Particulars or Employment Policies and Procedures. We hope that you have found the information contained within this Newsletter useful but if you require any additional information or clarification on any of the content, we will be pleased to assist you. We would also welcome any feedback from readers with suggestions on what you would like to see in future editions of the Newsletter.

Disclaimer

The information contained in this newsletter is for general information purposes only and does not constitute legal advice or any substitute for it. Davies Associates do not accept liability for any loss that may arise from relying on or using the information contained in this newsletter. If you have a particular query or issues you need addressing you are advised to seek specific advice in relation to the matter in question.