

Employment Law Timetable

March 2022

Legal Round up

Each year April sees a number of increases to the statutory payments, so this edition of the timetable provides you with a summary of all the changes that are due to take effect in the coming weeks. In addition, the government's 'Living with COVID-19' plan is now in force which removed the legal requirement to self-isolate following a positive test and introduced guidance to stay at home and avoid contact with others for at least 5 full days and then continue to follow the guidance until 2 negative tests have been received on 2 consecutive days. From 1st April the government will no longer be offering free community testing including both symptomatic PCR tests and asymptomatic rapid lateral flow tests and the requirement that employers explicitly consider Covid-19 in the health and safety risk assessments will also end.

Key Dates

15 March 2022 the legal requirement for health and social care staff to be double jabbed was removed. This is due to the Omicron variant being less severe, with the percentage of those requiring emergency care or hospital admission approximately half that of the Delta variant. The Health and Social Care Secretary, however, still reminds the minority of unvaccinated health and care workers of their professional responsibility to be vaccinated.

24 March 2022 saw the removal of the COVID-19 specific provisions relating to Statutory Sick Pay (SSP) following the closure of the SSP rebate scheme.

1 April 2022 sees the existing set of 'Working Safely' guidance replaced with new public health guidance.

Increase to compensation limits

6th April 2022 the two key new limits are:

- A new limit on a week's pay for the purpose of calculating statutory redundancy payments and basic awards - £571 (up from £544); and
- there will be an uplift in the basic and compensatory award for unfair dismissal. The basic award will rise to £17,130 (an increase from £16,320) and the maximum compensatory award for unfair dismissal will rise to £93,878 (an increase from £89,493).

The new rates will apply to dismissal that take place on or after 6 April 2022.

National Living Wage

From **5 April 2022** the National Living Wage will rise by 6.6% from £8.91 per hour to £9.50 per hour.

Other rates include:

21–22 year-olds will rise by 9.8% from £8.36 to £9.18

18–20 year-olds will rise by 4.1% from £6.56 to £6.83

16-17 year olds will rise by 4.1% from £4.62 to £4.81

Apprentice Rate will rise by 11.9% from £4.30 to £4.81

Statutory rates of pay

11 April 2022 the rates for Statutory Maternity Pay, Statutory Paternity Pay, Statutory Adoption Pay, Statutory Shared Parental Pay, Statutory Parental Bereavement Pay and Maternity Allowance will all increase from £151.79 to £156.66 per week.

The rate of Statutory Sick Pay will also increase from £96.35 to £99.35.

Right to Work Checking Process

6 April 2022 the right to work checking process changes for individuals who hold a biometric residence card, biometric residence permit or frontier worker permit holders; these checks can be currently completed manually but, from 6 April these will have to be done through the Home Office online checking service. Draft guidance has been published by the government and includes:

- the way in which biometric residence card, biometric residence permit and Frontier Worker permit holders prove their right to work
- changes and further guidance to enable employers to use identity service providers (IDSPs) to carry out digital identity verification as part of right to work checks
- the extension to the COVID-19 temporary adjusted right to work checks until 30 September 2022

Health and Social Care Levy

6 April 2022 - A new social care levy will be introduced UK-wide from 6 April 2022 to help fund health and social care. This will be collected via a 1.25% increase in National Insurance rates for employers, employees and the self-employed. It will not be payable by those earning under the NICs threshold (currently set at £9,568 (2021/22)).

From 6 April 2023, it is expected that this will be collected as a separate **Health and Social Care Levy** at a rate of 1.25%.

People above State Pension age will not be affected by the temporary increase to National Insurance contributions for the 2022 to 2023 tax year but will be liable to pay the levy from April 2023.

What to watch out for in 2022

Public holidays – The Queen's Jubilee

In 2022 there will be an additional Bank Holiday to celebrate the Queen's Platinum Jubilee. The usual late May bank holiday has been moved to Thursday 2 June to give workers a four-day weekend.

Whether or not employees are entitled to take this off will depend on the wording of their employment contracts. Employers will need to check the wording and communicate with employees as to whether or not they will be expected to work on the additional bank holiday.

On a practical level, employers should also be mindful of how they will manage a possible influx of holiday requests for the week commencing 30 May, due to this being a shorter working week.

2022 and beyond

Four Day working week Trial

Around 30 UK companies are going to soon be trialling the four-day working week as part of a pilot scheme which starts in June with the aim to gather evidence to present a test case to government and business leaders that a four-day week can work by increasingly overall wellbeing without a negative impact on productivity. Similar trials are taking place globally as well including, US, Canada, Australia and New Zealand.

Disability reporting consultation

Consultation by the Government on workforce disability reporting for large employers (250 employees or more) has just closed. The consultation has been seeking views on how best to improve reporting practices to build more transparency and support cultural changes around disabilities at work.

Note: The above guidance was correct at the time of writing this article on 30/03/22. This information is for educational purposes only and does not constitute legal advice. If you have any questions regarding the content of this newsletter or would like more information to support your business with any of the changes, please get in touch.