

Ringling in the Changes

January 2011



Introduction

Over the course of 2010 we have seen many changes in the employment law arena which have had a significant impact on small and medium-sized businesses. 2011 looks set to continue in a similar vein with some very important changes to legislation looming.

Training Requests

Last year saw the introduction of a new right for employees to request training providing they had been employed for more than 26 weeks and their employer had more than 250 employees. From 6 April 2011, this will be extended to all businesses with requests having to be recorded, considered and subsequently responded to.

Retirement at 65

Employers will no longer be able to prescribe a retirement age of 65, unless they can justify it. An employer that issues a notification of retirement before 6 April 2011 will be able to retire the employee if their retirement date is before 1 October 2011. After this, employers will be prohibited from issuing new notices using the default retirement age of 65. This is expected to cause major issues and an increase in age discrimination claims.

Contact us

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Offices in Romford, London (City & West End), St Albans, Hayes and Redhill.



Employee Benefits

Still to come from the Government however, and expected in the first couple of months of 2011, is guidance on employee benefits and whether there will be any ability for employers to opt out of providing benefits which can be costly for older workers (e.g. life assurance and private health).

Anti-Bribery Procedures

Tough new anti-bribery legislation comes into force in April 2011. The Bribery Act makes it a criminal offence to give or offer a bribe and to request, agree to receive or accept a bribe either at home or abroad. The legislation raises the maximum penalty for such acts by individuals from 7 to 10 years' imprisonment.

The Act's introduction of a corporate offence of failure to prevent bribery by persons working on behalf of a business has been particularly contentious as businesses could potentially face unlimited fines. However businesses will have a defence if they can show they have in place adequate procedures, policies and training to prevent bribery. Final guidance on the scope of these procedures will be published by the Government in early 2011. We will be communicating this guidance as soon as it is released.

General Enquiries
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Legal Department
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Using Temporary Workers

From 1 October 2011, temporary agency workers will be entitled to the same basic pay and employment conditions (including working hours, holidays, rest periods) as employees hired to do the job directly. The right to equal treatment will apply once an agency worker has undertaken the same role, whether on one or more assignments, with the same hirer for 12 continuous calendar weeks. This will mean that information on pay rates and conditions will need to be communicated to agencies so that they can be passed onto the relevant temporary workers.

Changes to Rates

From 1 February 2011

A week's pay (calculating redundancy etc) increases from £380 to £400.

From April 2011

Statutory Maternity, Paternity and Adoption Pay, increases from £124.88 to £128.73 per week. Statutory Sick Pay increases from £79.15 to £81.60.

Can We Help in 2011?

If you have any questions or any concerns about individual employees, please contact us on 01708 758958 or visit us at www.hrinsight.co.uk

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