

MARCH 2023

NEWSLETTER

JT HRCONSULTANCY LTD



HELPING BUSINESS OWNERS WITH ALL THEIR
HR NEEDS

Email: jo@jt-hrconsultancy.com

Mobile: 07715 026128



What we know is coming in 2023

Statutory rate changes

What we know for certain that is coming into effect in 2023 are new rates for the National Living Wage and National Minimum Wage (NLW / NMW), applicable from the pay period following 1 April 2023.

These are as follows:

- NLW (23+) - £10.42
- 21 – 22 years old - £10.18
- 18 – 20 years old - £7.49
- 16 – 17 years old - £5.28
- Apprentice rate - £5.28

It has been confirmed that from 2 April 2023, the rate for family friendly payments, including statutory pay for maternity, paternity, adoption, shared parental and parental bereavement leave, will increase to £172.48. The rate for Statutory Sick Pay will also increase to £109.40.

King's Coronation

The coronation, to be held on 6 May 2023 and marked with an additional bank holiday on 8 May 2023, will be for many a once in a lifetime experience. You should therefore start to plan how they will deal with time off requests, and employees wanting to watch coverage of the event whilst working. You will also need to make arrangements where you are expecting to be busy in the lead up to, and during, the event.

Potential new legal rights

New legal rights we could see introduced this year include Carer's Leave, Neonatal Leave and Pay and greater protection from redundancy for pregnant employees and new parents.

Another new right that could come into law is one that will allow workers to keep 100% of tips and gratuities paid to them, whether by card or cash, or as a service charge. Employers will be under a duty to keep accurate records of tips distribution; employees will have a new right to bring a claim if not.

Amendments to existing rights

The government have committed to make changes to the right to request flexible working, including making it a day one right, requiring employers to consult with the employee before rejecting a request and allowing two flexible working requests in any 12-month period.

As I said previously, I don't understand this! Surely working hours and all requirements of the role are confirmed at advertising and interview stage. So an employee joins and on day 1 makes a flexible working request! 😊 Intrigued to see how this one is going to pan out.

The Retained EU Law (Revocation and Reform) Bill

This is the big one. In simple terms, any existing EU regulations still in force in the UK will expire on December 31, 2023. As we go through next year you will hear more and more about how the Retained EU Law Bill will affect your business and everyday life.

The Bill was published in the House of Commons back in September 2022, and will revoke more than 2,400 EU rules which remain in UK law following Brexit. The Bill will make it easier for individual Government departments to review or replace these existing EU regulations, without having to pass separate, and time consuming, Acts of Parliament.

The Government is keen to point out the benefits of relieving businesses from EU red tape and restoring the power of UK law. However, a lot of employment legislation is due to expire.

For example, there could be amendments to the Transfer of Undertakings (Protection of Employment) Regulations 2006. Also known as TUPE, it is based on the EU's Acquired Rights Directive and the pro-business Government may make it easier for employers to harmonise terms. I suspect this will face opposition from trade unions.

There is a further question mark over the Working Time Regulations. Currently the UK's annual holiday entitlement exceeds the EU Directive. Will the Government reduce statutory leave entitlement from 5.6 weeks? What about the future of the 48-hour working week restriction?

I also wouldn't be surprised if the Agency Worker Regulations are revised, as there has been a trend to bolster the rights of agency workers.

Will all the legislation be rubber stamped into UK law, or will changes be made? This will soon be decided as the Bill is due to be debated in Parliament over the next few months. If no agreement is reached on certain areas, there is an extension mechanism which runs to June 2026.

The Government will need to tread a fine line as the UK-EU Trade and Cooperation Agreement (TCA) states that EU fines will be imposed if changes to UK employment law affect trade and investment or reduce employment rights.

And .. finally .. The Budget

- Apprenticeships for the over 50's
- Pension Tax Reform
- Helping the disabled and long-term sick back to work
- Extension of childcare funding for working parents

More details available by clicking the link below:

Spring budget 2023: how will 'back to work' reforms impact businesses? (peoplemanagement.co.uk)

