

Breedon Bulletin

Happy New Year...

Now that the Christmas festivities are well and truly over, we thought we'd take a look at what's happening in the world of HR and employment legislation, what might be happening and what won't be happening. Buckle up, there's a lot!



New statutory maternity, paternity and sick pay rates

The annual increases to statutory payments on 6th April 2025 will see statutory maternity, paternity, adoption and shared parental pay go up from £184.03 to £187.18 a week. Statutory sick pay will rise from £116.75 per week to £118.75.

National Living Wage Increase

The national living wage will also increase on 6th April 2025 to £12.21 per hour. This is the minimum legal wage for over-21s.

Positive Duty to take reasonable steps to prevent sexual harassment

This new duty came into effect on 26th October 2024, but appears to have gone largely unnoticed amongst all the talk of the Employment Rights Bill. If you haven't yet put relevant steps in place, get in touch for our Anti-Harassment pack, which contains everything you need to comply with the new law. The Government's new Employment Rights Bill promises additional changes, but these are unlikely to come into effect before 2026 and we reflect these in free of charge updates to our Anti-harassment pack.

New right to neonatal care leave and pay

The Neonatal Care (Leave and Pay) Act 2023 is anticipated to come into force in April 2025 and will provide parents with a day one right to take a period of neonatal leave (and pay subject to 26 weeks' service) if their baby needs neonatal care.

Employment Rights Bill - what we know so far

Changes outlined in the Bill are unlikely to come into force until 2026, which at least gives us time to prepare for what's been described as the greatest shift in employment legislation in decades. Changes we know about include:

- Enhanced protection against third-party harassment and requiring employers to take **all** reasonable steps to prevent sexual harassment of employees in the course of their employment.
- Unfair dismissal protection extended to all employees from day one of employment
- Further reforms to flexible working rights, making flexible working the default position

Continued...

- Fire and rehire dismissals will be automatically unfair
- Statutory paternity leave and ordinary parental leave to become day-one employment rights
- Wider statutory right to bereavement leave to grieve for loved ones - this is yet to be defined
- New trade union rights and reform of industrial action legislation
- Requirement to publish gender pay gap and menopause action plan for employers with more than 250 employees
- New entitlements for zero and low hours workers giving them the right to a guaranteed number of hours if they work regular hours over a defined period, together with the right to notice of and payment for cancellations or changes to shifts
- Changes to SSP rules, removing waiting days and the lower earnings limit, meaning all employees will be paid for every sick day (up to their annual allowance)
- Reforms to collective redundancy consultation requirements
- Extra protection against dismissal for pregnant employees, prohibiting employers from dismissing an employee during pregnancy, while on maternity leave, and during the six months after their return to work period, except in specific circumstances

Look out for this month's education guide for more details, or contact us for your free copy.



What might be coming...

- Ethnicity and disability pay gap reporting for large employers
- Parental leave and carers leave reviews, with the potential to introduce statutory paid carers leave
- Employment status reforms to merge employees and workers into a single category, which would potentially give more individuals access to a wider range of statutory rights
- Right to disconnect through a non-statutory code of practice

What isn't coming...

- The banning of zero hours contracts, although we do expect increased regulation of the gig economy
- The four-day, 32-hour working week for 100% pay, although workers do have the right to request compressed hours as part of flexible working regulations

Enhancing Employee Well-being Post-Holiday



As employees return to the workplace after the festive season, it's not uncommon for them to experience a mix of emotions. While some may feel rejuvenated and ready to dive back into work, others might grapple with lingering stress, fatigue, or the 'post-holiday blues.' Ensuring the well-being of your workforce during this transitional period is essential for fostering a productive and supportive workplace

Understanding Post-Holiday Challenges

The festive period, though joyous, can be physically and emotionally demanding. Family commitments, financial pressures, and packed schedules often leave employees feeling drained rather than recharged. Returning to the demands of work, especially after an extended break, can amplify feelings of stress and anxiety.

Studies reveal that a significant percentage of employees feel overwhelmed in January, struggling to reintegrate into their professional routines. This period can also see a dip in productivity, morale, and overall engagement. Addressing these challenges head-on is not just a compassionate approach but also a strategic one that aligns with long-term organizational goals

Practical Strategies for Enhancing Well-being

Re-establish a Sense of Routine: Scheduling team check-ins during the first week back can help employees realign with organisational goals and foster a sense of camaraderie

Promote Flexible Working Options: Flexibility is a key driver of employee well-being and can help employees balance personal and professional responsibilities

Encourage Open communication: Create an environment where employees feel comfortable discussing their concerns and challenges

Prioritise Mental Health: raising awareness about mental health through training sessions and internal campaigns can reduce stigma and encourage employees to seek help when needed

Organize Well-being Activities: Kick off the new year with activities that promote well-being and team bonding

Recognize and Celebrate Achievements: Acknowledging employees' contributions and achievements from the previous year can foster a sense of appreciation and motivation

Organisations that prioritize well-being often report higher levels of engagement, retention, and overall productivity.

Focus on

Employment Disputes Insurance...now available!



INSURANCE POLICY

TERMS AND CONDITIONS

An innovative new addition to our service offering

For the last few months, we've been talking about the significant changes to employment legislation which are coming our way, and the need to take action now to protect against the effects on your business of the introduction of day one rights and various other increased employee protections.

We've also been working hard behind the scenes to create additional peace of mind for our clients, and are now pleased to launch an enhanced and insured service. This combines the best of hands on HR support with the protection of insurance, giving you peace of mind that should you have a tribunal claim against you, you'll be covered.

This ensures that you continue to have our support to tackle the practical aspects of employee management and organisational compliance, with the option of independently arranged employment protection insurance to cover legal representation and indemnity for the claims we simply cannot stop.

We are not insurance brokers, but we know a good policy when we see one. We think the policy we've sourced was originally unique as employment claims made under it are not subject to the dangerously restrictive "reasonable prospects of success" clause associated with most policies, meaning that with this policy you can be represented on claims where your legal position is uncertain.

This is precisely why we are partnering with a specialist insurance broker who will offer this innovative insurance to back up our service.

At first sight, employment protection insurance policies may look fairly homogenous, stating that they will indemnify compensatory awards and representation costs up to stated financial limits. The devil of course is in the detail, and understanding the terms within policies is key to knowing if they can be trusted to pay up as required.

Our holistic approach means that not only do you have the best of HR support complemented by excellent legal advice, but that provided you follow our advice you will be covered for representation costs and compensatory awards should you have a tribunal claim issued against you.

Want to find out more? Please let us know and we will get our insurance partners to contact you and arrange to provide you with an indicative price and answer any questions that you may have."



Questions & Answers

Is an employee entitled to be accompanied at a meeting to discuss poor performance?

An employee will be entitled to be accompanied at a meeting to discuss poor performance only if the meeting could result in the employer taking formal disciplinary action against them (for example by issuing the employee with a formal warning, dismissing them, or invoking some other penalty).

Should we deal with poor performance through a disciplinary or capability procedure?

If the poor performance is conduct related (ie the employee has some control over their actions), it is appropriate to follow a disciplinary procedure. However, if the poor performance is capability related (ie they do not have control over their failure to meet the employer's standards of performance), it will be appropriate to follow a capability procedure for performance improvement.

Which individuals are entitled to a written statement of employment terms?

Employers must provide all workers with a written statement of employment particulars at the start of their employment. The relevant definition of worker, under the Employment Rights Act 1996, covers all individuals who work under a contract of employment or any other contract to do or perform personally any work or services for another party to the contract whose status is not that of a client or customer.

Let's talk on the phone

Here are three questions for you:

- Do you currently have HR support?
- On a scale of 1 to 10, how happy are you with them?
- If the answer isn't "I'm so delighted I could print 1,000 flyers to spread the word about them", let's jump on a video call

You know just how important it is to get proactive, responsive HR support. That's what we do. And we're taking on new clients.



Set up a 15 minute exploratory call at
www.breedonconsulting.co.uk

YOUR HR EXPERT

