

Employment Law & Statutory Pay updates from 1 April 2024

Legal Updates

Legal changes and updates have come into force that will affect your range of family friendly policies & procedures. There has been the introduction of 'Carer's' entitlements and also changes that will impact your redundancy processes.

The key changes, effective from 6 April 2024 are:

Flexible working regime

The right to request flexible working will become a day-one right rather than one arising after 26 weeks service. Further changes to take effect include the right to make two requests a year, enhanced consultation requirements and a shorter decision timeframe, now reduced from three to two months. Employers must also ensure that they provide reasons for rejecting any requests for flexible working arrangements. Previously, employers had the discretion to decline such requests without offering any explanation.

Paternity leave

Changes to paternity leave will include being able to take leave in two separate blocks of one week within 52 weeks of birth (up from 8 weeks).

Carer's leave

A new day-one right to carer's leave to provide care for a dependant with a long-term care need. This applies to anyone caring for a spouse, civil partner, child, parent or other dependant who needs care because of a disability, old age or any illness or injury likely to require at least three months' care. The leave is unpaid. The maximum duration of the leave is one week per year and whilst employers cannot deny an employee's request for carer's leave, they can postpone it if they reasonably consider that the operation of the business would be unduly disrupted if it were approved.

Redundancy protection

A further change to note, is the new priority for suitable alternative employment in a redundancy situation which is to be extended to pregnant employees and those who have recently returned from maternity/adoption and shared parental leave. This extends this right which currently only applies to employees on maternity leave, shared parental leave or adoption leave who already have special protection in a redundancy situation.

Menopause and the Workplace

Updated guidance regarding menopause in the workplace, outlining employers' legal responsibilities under the Equality Act 2010 has now been released. This new guidance is designed to clarify these obligations and offer practical advice to employers on implementing reasonable adjustments and fostering open discussions about the menopause. If symptoms of menopause significantly and persistently impact a woman's ability to perform daily tasks, they may be classified as a disability. According to the Equality Act 2010, employers are obligated to make reasonable accommodations and avoid discrimination against affected employees. Furthermore, individuals experiencing menopause symptoms may be safeguarded from unfavourable treatment related to their condition based on age and gender.

Annual Increases in Employment Tribunal Awards and Statutory Payments

The government has announced the annual adjustments to compensation limits for employment tribunal awards and various statutory payments. The changes are subject to parliamentary approval and are scheduled to take effect from 6th April 2024.

Maximum Compensatory Award for Unfair Dismissal

This has been raised from £105,707 to £115,115.

Limit on a Week's Pay

This is raised from £643 to £700. This increase has implications for various calculations related to employment, including statutory redundancy payments and certain tribunal awards.

Basic Award

The minimum basic award for certain forms of unfair dismissal rises from £7,836 to £8,533.

Statutory guarantee pay

This increases from £35 to £38 per day, offering greater support to employees during periods of layoff or short-time working.

Sick Pay & Parental Rights

The rate of Statutory Sick Pay (SSP) will increase from £109.40 to £116.75 per week. The lower earnings threshold, at or above which employees must earn in order to receive various statutory payments, will, however, remain unchanged at £123 per week.

From Sunday 7 April 2024, Statutory Maternity Pay, Statutory Paternity Pay, Statutory Shared Parental Pay, Statutory Adoption Pay, and Statutory Bereavement Pay all increase from £172.48 to £184.03 per week.

The new National Minimum Wages increases which will apply from 1 April 2024 are as follows:

	NMW Rate	Increase in pence	Percentage increase
National Living Wage (21 and over)	£ 11.44	£ 1.02	9.8%
18–20-Year-Old Rate	£ 8.60	£ 1.11	14.8%
16–17-Year-Old Rate	£ 6.40	£ 1.12	21.2%
Apprentice Rate	£ 6.40	£ 1.12	21.2%
Accommodation Offset	£ 9.99	£ 0.89	9.8%