

Trivolution HR Update

The weather has turned colder, which is good news for some of our customers! Less so for others. We have had some useful conversations with some of you this month, and have provided some much needed advice, which is always a pleasure!

This is the first of our re-launch monthly newsletter. It should take you around 10 minutes maximum to read and could save you hours managing the consequences of giving the wrong answer. For any urgent news I will e-mail you direct, as I did with the tribunal ruling on backdating of holiday pay etc.

We also start to review our standard employee handbook at this time of year, for those using our exclusive version. We will ensure it is up to date and provides you with the current best practice and is legally compliant.

Hope you have a successful month trading and if there is anything myself or your business partner can do for you, just call!

Regards, Richard



Shared parental leave and pay

Shared Parental Leave is a new right that will enable eligible mothers, fathers, partners and adopters to choose how to share time off work after their child is born or placed. This could mean that the mother or adopter shares some of the leave with her partner, perhaps returning to work for part of the time and then resuming leave at a later date.

The regulations are currently before parliament and are due to come into force on 1 December 2014. The options to use the new Shared Parental Leave rights will apply for parents who meet the eligibility criteria, where a baby is due to be born on or after 5 April 2015, or for children who are placed for adoption on or after that date. Employers could start to receive notice of eligibility and the intention to take Shared Parental Leave from qualifying employees from January 2015.

The Government intends that the new system will:

- allow fathers to play a greater role in raising their child,
- help mothers return to work when they want to without losing leave entitlement, and
- allow mothers to return to work temporarily for a busy period or an important project.

Action Points for Employers

- Review and update existing maternity, paternity

and adoption policies and prepare policies and procedures relating to shared parental leave, if you use one of our handbooks we will review this for you as part of the service.

- Consider how employee requests for continuous blocks of leave will be administered by the organisation (given that these requests cannot be refused).
- Consider how employee requests for discontinuous patterns of leave will be evaluated and responded to, including what factors to be taken into account.
- Train managers to ensure they understand their responsibilities in delivering the organisation's policies and know who to contact for further guidance and information – ask about our management training and coaching, we can do one to ones or in groups. We also provide 1-2-1 coaching.
- Consider and assess the risks associated with continuing to pay enhanced maternity pay, but not offering enhanced pay for shared parental leave.



New Rights for Fathers & Partners for Ante Natal Appointments

From 1 October fathers and partners of a pregnant woman in a “qualifying relationship” will be able to take unpaid time off to attend an ante natal appointment. No continuous service is required for this statutory right available to employees. Agency workers will be required to have to have worked 12 weeks in the same job. An employee may only attend two ante natal appointments lasting 6.5 hours for each. The government is encouraging more fathers and partners to take time off to prepare for the birth of a baby as research shows very few do.

Fathers and partners will be entitled to time off to accompany a pregnant woman to an antenatal appointment on up to two occasions. Employees will be eligible to take advantage of the new right straight away without accruing a minimum period of service.

Although the right extends to agency workers, a minimum service requirement applies to trigger eligibility in this context.



Contact Us...

0114 221 0207

info@trivolution.co.uk

The Old Colliery Offices, Colliery Road,
Kiverton Park, Sheffield, S26 6LR

TrivolutionLtd



@TrivolutionLtd



Trivolution-Ltd



Increase in National Minimum Wage

On 1st October 2014 the national minimum wage rates rise to:

£6.50 for workers 21 and over

£5.13 for workers 18-20 yrs

£3.79 for 16-17 yrs olds

£2.73 for apprentices under 19 or 19+ in the first year of apprenticeship

Settlement agreements

It seems Settlement Agreements are being more widely used. As a reminder, this is a new name for “compromise agreements” and the change is not only in the name. Before, employers were wary of offering Compromise agreement to their employees, in case they complained that their dismissal was predetermined and therefore unfair. Now, in the spirit of pre-termination negotiations, employers are able to offer a settlement agreement at any time, regardless whether there is an existing dispute. Because these negotiations are on a without prejudice basis, if no agreement is reached neither party can refer to it in any ensuing proceedings.

The move is a result of a drive towards encouraging parties to reach settlement without recourse to the tribunal. It is also in line with the spirit of reconciliation and extended role of ACAS. Worth noting though is that this rule only applies to unfair dismissal situations and not where a claim for automatic unfair dismissal or discrimination may arise; furthermore employers must comply with the new ACAS Statutory Code of Practice.

