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New Statutory Rates

From 11th April 2011 the following statutory rate increases will take effect:

- Statutory Maternity Pay, Maternity Allowance, Statutory Paternity Pay and Statutory Adoption Pay will increase from £124.88 to £128.83
- Statutory Sick Pay will increase from £79.15 to £81.60.

Tribunal Awards Changes

From 1st February 2011 the following compensation limits for Employment Tribunal Awards took effect:

Welcome to our latest Newsletter

Royal Wedding

It is a common misconception that the Royal Wedding public holiday means time off work and holiday pay for everyone employed in the UK. However, as 29th April 2011 has been set as a **special public holiday**, it is ultimately up to the employer to determine whether special public and bank holidays (e.g. the Royal Wedding or the Queen's Diamond Jubilee in 2012) will be treated in the same way as the usual bank holidays (e.g. Christmas Day and May Day bank holiday) by reference to the contracts of employment.

The employer is not, by law, required to give paid or unpaid time off or offer extra pay for any special public or bank holidays if it is not set down in the contracts of employment. Therefore careful review of your contracts of employment is recommended before you respond to queries regarding these days. Even where employees do not have a contractual right to paid time off on the Royal Wedding bank holiday, you may want to consider providing this as a gesture of goodwill or offering time off in lieu if employees are required to work on that day.

Please contact us if you require more specific information.

- The maximum basic award for unfair dismissal increased from £11,400 to £12,000; and
- The maximum compensatory award for unfair dismissal increased from £65,300 to £68,000.
- These increases mean that the greatest possible award for an ordinary unfair dismissal claim is now £80,400.



Additional Paternity Leave

In April 2011 the Additional Paternity Leave Regulations 2010 will take effect and qualifying employees will be able to take a period of Additional Paternity Leave (APL) of up to 26 weeks. However, the qualifying employee can only take APL if that employee's wife or partner has not taken their full maternity leave entitlement. So, in effect, the period of maternity leave entitlement can now be shared between both partners.

The right to request APL will apply in respect of babies due on or after 3rd April 2011.



Retirement Changes - do you need to act now?

As mentioned in our last news update, the default retirement age (DRA) will be removed on 1st October 2011, with a **six month transitional period from 6th April 2011** to allow the default retirement age of 65 and the statutory retirement procedure to be phased out.

From 6th April 2011 employers will be prohibited from

issuing new notifications for compulsory retirement using this statutory retirement process. Only employees who were notified of their retirement date before 6th April 2011 and whose retirement date is on or before 30th September 2011 can be compulsorily retired by using the statutory retirement procedures.

Following the removal of the DRA employers will have to decide if they are not going to set a compulsory retirement age or if they consider that a compulsory retirement age can be justified as a proportionate means of achieving a legitimate aim. However, please note that at this stage it is not clear how employers will be "tested" on the objective justification of a DRA. Any retirement clauses in employment contracts and employee handbooks will have to be amended accordingly.



And Finally...

Thankyou for reading our newsletter. We hope you found the articles and details of courses of interest. Please contact us if you need further information or assistance.

Sincerely,

Ian Laycock



Managing Director



A **ProActive** Company