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| **January 2015 Update** |
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| Welcome to this month’s edition of Employment Law update - where we discuss the latest legislation and guidance.

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| **Fit for Work Service ready for use**A new service is being launched that allows employers and GPs to make free Occupational Health referrals for employees off work for four weeks or more. The service will be voluntary and so employees must give their consent to be referred by either their GP or their employer. The service is not fully operational at present but the Fit for Work service for England and Wales has started trialling the service in Sheffield. It is expected that the service will be fully rolled out across England and Wales over the next few months. The aim of the service is to help employers and employees alike to manage sickness absence more effectively at an early stage so that employees can be helped back to work.  It is estimated that over 130 million days are lost to sickness absence each year at a cost to employers of £9 billion per annum in terms of loss of production and sick pay costs. Research has shown that early intervention at four weeks compared to six months has a greater impact on getting an employee back to work (when they still have an attachment to their work). Evidence suggests that the longer an employee is off work, the lower the chance of them returning to work. Some of the key benefits of the Fit for Work Service are: 1.    Free occupational health referrals from an employee’s GP or employer after four weeks of sickness absence2.    In addition to the referral a practical step by step Return to Work plan will be produced to assist employees in returning to work.3.    An advice line to offer assistance to both employers and employees so that advice can be sought at an earlier stage. The service should provide some relief for employers faced with increasing sick pay costs since the withdrawal of the Percentage Threshold Scheme. Though the service remains as voluntary it is to be hoped that the independent and impartial nature of the service will encourage more employees to engage with Occupational Health with a view to returning to work as soon as is practicable. **Employers:**details of the service can be found at www.[http://fitforwork.org/](http://emarketing.justemploymentlaw.co.uk/t/r-l-qljhhtt-thjhjhillj-k/)http://img.constantcontact.com/letters/images/1101116784221/SpacerImage.gifhttp://img.constantcontact.com/letters/images/1101116784221/SpacerImage.gifhttp://img.constantcontact.com/letters/images/1101116784221/SpacerImage.gif

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| **Flexible Working**From 30 June 2014, all employees with at least 26 weeks' continuous employment have been able to make a request for flexible working, rather than only employees with caring responsibilities.  There is a new scheme in place under which the employer has three months to decide on an employee's request for flexible working. The employer has a duty to deal with requests in a reasonable manner. Employers are still able to reject the application on one of eight grounds, including legitimate business grounds.**Employers:**make sure your flexible working policies are up-to-date.

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| **Shared Parental Leave**New rules on shared parental leave will apply to all parents of babies born or placed for adoption on or after 5 April 2015. Qualifying employees can share between them a right to a maximum of 52 weeks' leave and 39 weeks' statutory pay. (However, the mother must still take her two week compulsory maternity leave immediately after the birth.) Shared parental leave is only available where a mother has shortened or given notice to reduce her maternity leave. Parents may take leave either consecutively or concurrently. They may also request parental leave in one continuous block or a series of discontinuous blocks, although an employer may refuse a request for discontinuous leave. An employee must give eight weeks' notice of a request and may make up to three separate requests.**Employers:**make sure your maternity leave and paternity leave policies are up-to-date.Is it time for a Company Handbook update?http://img.constantcontact.com/letters/images/1101116784221/SpacerImage.gifhttp://img.constantcontact.com/letters/images/1101116784221/SpacerImage.gifhttp://img.constantcontact.com/letters/images/1101116784221/SpacerImage.gif

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| Employment Law Support advice includes:* Company Handbooks
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* Self Employed /Fixed Term Contracts
* Disciplinary & Grievance Procedures
* Training Agreement
* Discrimination including Age, Disability, Race and Sex
* Flexible Working
* Termination of Employment
* Managing Sickness
* Managing Redundancy
* Policies, Practice and Procedure
* Maternity and Paternity regulations
* TUPE
* HR consultancy
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| QUESTIONS?As always, should you have any questions or comments please e-mail us **at** enquiries@employmentlawsupport.co.ukVisit us online at [www.employmentlawsupport.co.uk](http://www.employmentlawsupport.co.uk) |

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| Employment Law SupportPrincipal: Caroline RobertsonEmployment Law Consultant, Solicitor (non-practising), Law Society of England and Wales Roll No: 41593  |
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