



February 2021 Update

Welcome to this month's update - where we discuss the latest legislation and guidance.

In this month's edition, we report on:

- HRMC has published the list of employers who made furlough claims
 - Brexit – to review employees' rights or not?
 - How can HR support working parents?
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HMRC has published the list of employers who made furlough claims

HMRC has just published the list of all employers who made furlough claims during December 2020.

Although HMRC has not explained its reason for doing this, it is most likely in part to shame larger employers and discourage them from claiming as well as in part to help combat furlough fraud (such as a small business where its employees are all still working, but they discover a claim is being made for furlough pay).

Though my number one productivity destruction tip: start searching for the names of businesses you know... it's the rabbit hole from which you'll never escape.

HMRC has also published an amending Direction, with regard to the Coronavirus Retention Scheme, the main points are:

1. Confirmation the furlough scheme is extended to 31 April. Even those who respect this government will struggle to believe they can add an extra day to April.
2. Clarification that furlough pay in March/April 2021 should refer back to the corresponding month in March/April 2019, and not March/April 2020 (as that would involve looking at a period when people might already have been on furlough pay). The calculation for 'usual hours' of work is similarly amended.
3. The deadline for amending a claim is extended from 15th of the following month to the end of the following month.

Employers: For the list: [list of all employers who made furlough claims](#)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956979/Employer_claim_data_-_December_2020.csv/preview

Contact us: We can review your documents and policies

Brexit – To review employees' rights or not?

It has just been announced that a controversial government review of EU-derived employment laws will now no longer take place.

Under the terms of the Brexit agreement the UK is now allowed to diverge from regulations derived from Europe and last week the business minister, Kwasi Kwarteng, confirmed his department would be looking at the Working Time Directive and other rules around pay and breaks.

However, it seems Kwarteng has appeared to do a U-turn on this, saying that the review is no longer happening.

So what does the Brexit deal mean for HR?

Particular industries, such as hospitality have relied on workers from the EU to fill often low paid jobs. Employers must therefore look at improving pay and conditions to entice new workers after Brexit.

Brexit: the end of employment rights?

Kwarteng has confirmed that the whole point of having successfully left the EU, is that we want high wages, a high growth economy and high skills. The government is not interested in whittling away workers' rights.

It seems that a wholesale review of EU-derived employment law is simply not a priority right now. Perhaps a better issue the government should be focusing on before looking at deregulation is improving how existing employment rights are enforced.

However, if the review is not happening then business leaders and employees must be provided with clarity about what happens next.

Employers: Any change must be backed with clear detail and balanced against company needs in these difficult times

Contact us: We can assist HR and Employment law guidance as needed

How can HR support working parents?

With many parents once again balancing working from home with childcare responsibilities, what can employers do to make the situation easier?

It's vital for employers to recognise many parents could be struggling to work alongside increased childcare responsibilities. HR needs to have plans in place to continue to support them during this demanding time.

This could include a range of flexible working arrangements, altered role responsibilities or for part-timers to split their hours over more days. If these solutions are not practical it may be worth seeing if employees could be put on short-term or flexible furlough leave, make use of parental leave, unpaid leave or holiday.

Encourage managers to have regular catch-ups with staff to discuss the options that could help them as well as checking on their wellbeing. It is also worth considering having a relaxed approach to children being seen and heard on calls or that it is acceptable to put a call on hold while they sort out a child. This means that parents have reduced stress relating to interruptions. Some companies have informal chat channels for parents to swap ideas and resources for home activities.

The important thing is that parents don't feel they have to pretend everything is normal, as this piles unnecessary stress onto an already challenging situation.

Employers: Flexibility is needed as every parent has a different role and circumstances to manage when it comes to childcare

Contact us: We can assist with a remote working policy and guidance

For more information or assistance Email: enquiries@employmentlawsupport.co.uk





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Business Forum

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