

## *This Week in Employment Law*

### Latest Tribunal Figures Show Claims Continue to Rise

**The Ministry of Justice (MoJ) have released the latest quarterly statistics for the Employment Tribunals relating to October-December 2018, revealing the final data for 2018 as a whole. The key headlines are as follows:**

- From Jan-Dec 2018 over 38,700 single tribunal claims were made – that averages out to 106 per day.
- Claims continue to rise overall, with 23% more single claims brought to tribunal between Oct-Dec 2018 when compared with the same quarter in 2017.
- Unfair dismissal continues to be a popular claim, with over 4,850 being made during the final quarter of 2018, bringing the total for the year to over 20,000.
- Age, disability, race and sexual orientation discrimination claims also increased when compared with 2017.
- Redundancy procedures would appear to be causing a particular issue as claims for a failure to inform and consult staff increased by 118% when compared with the same quarter in 2017.
- Claims for pregnancy discrimination also increased by 56% between Oct-Dec 2018 when compared with 2017.
- With tribunal awards increasing again in April 2019 it is even more important for employers to follow correct procedure in order to avoid paying out higher rates of compensation.

#### Changes to apprenticeship funding in April 2019

A change in apprenticeship funding will come into effect from 1st April 2019. Levy paying employers will be able to transfer up to 25% of their funds within their supply chain, whilst the government will increase their support under co-investment and pay 95% of apprenticeship costs for qualifying smaller employers.

##### Did you know?

Paying into the apprenticeship levy is a mandatory requirement for employers with an annual pay bill of £3million. This money can then be used to fund the cost of apprenticeships. Co-investment on the other hand is only open to non-levy paying employers with less than 50 staff.

#### Government to review process for deciding NMW

As part of the government's recent Spring Statement, Chancellor Phillip Hammond confirmed that a review would be conducted into the way national minimum wage (NMW) rates were decided upon. This could see a dramatic increase in the next set of NMW rates released for 2020.

##### Did you know?

The latest NMW rates will be introduced on 1st April 2019, and will apply to all pay periods beginning on or after this date. It is important to make sure that relevant staff have their hourly rate amended accordingly, as a failure to do so could result in tribunal claims and HMRC action.

#### Calls for paid leave to support carers at work

The Bank of New York Mellon (NYM) has put a stop to plans which looked to prevent staff across the world from working at home. Critics of the bank's original decision had suggested legal action could be taken if they were to introduce an outright ban on requests for flexible working practices.

##### Did you know?

Although there is no right to carers leave, qualifying employees can make a request for flexible working to help manage their care commitments. Employers need to consider these requests appropriately, as a failure to do so could lead to claims of associative disability discrimination.

The latest tribunal statistics make for interesting reading and show that employees continue to challenge perceived failures of their employer now that fees are no longer in place to act as a deterrent. For more information on making sure your procedures are watertight, call our 24 hour Advisory Service.

Please contact the 24 Hour Advice Service for advice on your specific situation before acting on the information in this publication.