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This Week in Employment Law

07-09-2020

Information on Kickstart Scheme released

The Government announced the Kickstart Scheme in July 2020 as part of a “Plan for Jobs” initiative. Applications opened, along with further information, on 2 September. We explore what employers need to know below:

- The scheme is aimed at creating new high-quality jobs to help 16-24 year old unemployed people on Universal Credit who are at risk of long term unemployment.
- It will be open until December 2021, with the option of it being extended. Applications are via the government website.
- It is being run across several industries in England, Scotland and Wales and is open to all employers who meet the minimum requirements for offering the scheme. The first placements are likely to be available from November 2020.
- A minimum of 30 six-month placements per employer must be offered – jobs that are ‘new’, and in addition to the current workforce, which develop the skills & experience of participants. Employers can partner with other businesses to be eligible.
- The scheme will cover 100% of the relevant National Minimum Wage for a minimum of 25 hours’ work per week, as well as employer National Insurance contributions and employer minimum auto-enrolment pension contributions.
- Employers will be able to top up the payment or offer a higher number of working hours, but the excess will not be covered by the funding.
- The Government will also pay employers £1,500 towards setting up support and training for those on the Kickstart placement.

New guidance for apprentices announced

The Government highly encourages employers and trainers to make use of distance-learning and techniques for when apprentices are unable to attend due to the coronavirus. Where a break in learning is deemed necessary, and is longer than four weeks, it must be reported. In that case, funding to the training providers will be suspended until training resumes.

Did you know?

From 1 September, applications opened for employers to claim incentive payments for hiring new apprentices if, at the start of the apprenticeship, the apprentice is a new employee. The payment is claimed through the online apprenticeship service and must be claimed by 31 April 2021.

Statutory Sick Pay (SSP) payments extended

The Government has extended the payment of SSP for self-isolation in England, Scotland, and Wales. Since 28 August, SSP has become payable to someone who has received a pre-surgery notification, is advised to stay at home for up to 14 days before the procedure date in the pre-surgery notification, and is staying at home in accordance with that advice.

Did you know?

As with all periods of self-isolation, employers should first explore whether the person can work from home so they get full pay. They can also agree, or enforce with the required notice, annual leave for the whole or some of the period, or use any other leave provided by the contract.

Appeal Court finds foster carers to be employees

The Employment Appeal Tribunal has held that two foster carers are entitled to full employment rights by Glasgow City Council as employees. This is because the council paid them an annual fee of £32k and had a high degree of control over the carers – how they worked and when. The council had to give the carers work which the carers had to accept.

Did you know?

Many cases have gone through the courts recently regarding employment status. It is therefore important to correctly label individuals who perform tasks on behalf of a business to avoid costly tribunal claims. One of the key areas to consider is the level of control businesses exert.

The eligibility list for the Kickstart Scheme is extensive and employers need to be aware of them all before making an application to partake in the scheme. Our 24-hour Advisory Service is on hand to provide up-to-date guidance on this and more.

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