

Wales to go into “fire-break” lockdown

Wales will go into a full two week “fire-break” lockdown from 6pm on Friday 23 October 2020 until Monday 9 November 2020. We explore what employers need to know below:

- Wales’ First Minister announced on 19 October 2020 that due to the upcoming fire-break lockdown, all non-essential retail, leisure, hospitality, and tourism businesses must close from 23 October.
- Community centres, libraries, and recycling centres will also have to close.
- Further to business closures, residents in Wales will be required to stay at home for the duration of the two-week period, meaning that homeworking will need to be reinstated where possible.
- However, critical workers and those who aren’t able to work from home are exempted from the stay at home rule.
- Primary schools and childcare facilities will remain open post half-term break but secondary schools will only open for Year 7 and Year 8 pupils.
- This may mean that parents of older secondary school age children take time off for dependants if they aren’t already working from home.
- An ‘economic resilience fund’ worth approx. £300m will be rolled out during this period, including up to £5,000 for SMEs.
- The Chancellor has since confirmed that Wales will not be granted early access to the new Job Support Scheme.

Cap on public sector termination payments

A £95,000 cap on the total pre-tax aggregate value of public sector exit payments will come into force on 4 November 2020 for the majority of public sector employers. This means that if an exit occurs on or after this date, the cap will apply, even if the terms were agreed beforehand – unless, in limited cases, it is possible to seek a discretionary waiver.

Did you know?

Public sector exit payments include redundancy payments, employer pension contributions (and pension enhancement), ex gratia sums, voluntary exit payments, payments in lieu of notice that exceed one quarter of the employee’s annual salary, as well as shares and share options.

More areas move into tier 3 lockdown

In just over a week of the Government’s new three tier COVID alert system in England, four areas have been moved into the highest alert level, tier 3. Liverpool City Region and Lancashire were confirmed as tier 3 during the first week of the system, and will be joined by Greater Manchester and South Yorkshire on 23 and 24 October respectively.

Did you know?

Tier 3 requires pubs and bars that do not operate as a restaurant to close as a baseline measures. Additional closures specific to local areas are also included in tier 3 which have, so far, included casinos, bookmakers and adult gaming centres. Closures will last for at least 28 days.

EAT provide clarity on indirect age discrimination

The Employment Appeal Tribunal has found that a 67-year-old claimant was discriminated against due to her age. She argued that she was denied access to a new role because her age group wasn’t properly represented in a talent pool designed to fill the role. The appeal court held that the pool limited the number of employees who could seek promotion.

Did you know?

Under the Equality Act 2010, indirect age discrimination can occur when a provision, criterion or practice is applied to people of all ages but it disadvantages people in a particular age group more, and when it’s not justifiable as a means to ‘achieving a legitimate aim’.

Wales based employers, or those with branches in Wales, will now need to put homeworking arrangements in place for employees, where possible. 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.