

New guidance on gender pay gap reporting 2021

The Government has released new guidance on the return of gender pay gap reporting after its suspension in 2020 due to coronavirus. We explore what employers should know below:

- Employers who had 250 or more employees on the “snapshot date” must produce a gender pay gap report by 4 April 2021.
- The “snapshot date” refers to the specific date each year which gender pay gap calculations are drawn from, based on payroll data.
- For reporting in 2021, the snapshot date for the public sector is 31 March 2020; in the private sector, it is 5 April 2020.
- Even if employers have since made redundancies, if they had 250 employees on their snapshot date they should still produce a report.
- Furloughed employees should be counted when determining whether the 250 employee threshold is met.
- However, furloughed employees should not be included in the gender pay gap calculations relating to hourly pay unless employers had “topped up” their pay to 100%.
- All employees, including those furloughed should also be included in gender pay gap reports on bonus pay.
- Employers may find that their pay gap is significantly different to previous years as a result of coronavirus measures and should use the accompanying narrative to provide an explanation.

Wales is set to strengthen its coronavirus restrictions

The Welsh Government has confirmed that after a review of the data on the coronavirus spread, the alert level 4 restrictions will remain in place and that some restrictions will be strengthened. All businesses that were required to close must stay closed, and now showrooms must close too. The re-opening of schools and colleges has also been postponed and will be reviewed on 29 January 2021.

Did you know?

Where business closures continue, employers can furlough eligible staff and claim 80% (capped) of their wages from the Government. Employers can also furlough staff who have childcare issues from school closures where eligible.

New rules in the UK when returning from abroad

People arriving into England, Scotland and Wales, including UK nationals, must test negative for coronavirus at least 72 hours before leaving the country they are travelling from, the Government has confirmed. Despite this new rule, which is shortly to come into force, self-isolation rules upon entry to the UK from abroad remain in place. Failure to adhere to this will amount to a £500 fine.

Did you know?

Employers who have business travellers already abroad, or set to go abroad, should be aware that testing positive for the coronavirus will mean that the employee is unable to travel back to the UK, resulting in additional travel costs.

Urinating in public not grounds for dismissal

An employment tribunal has held that a Royal Mail delivery driver who was caught urinating in public was unfairly dismissed because the act was not the real reason behind his dismissal. It had been found that other delivery drivers had been caught urinating in public but were not dismissed; however, due to the claimant's involvement in union activities and his poor relationship with his manager, he was unfairly dismissed on the grounds of gross misconduct.

Did you know?

To avoid a claim for unfair dismissal an employer must have a potentially fair reason to dismiss, must act reasonably, and must have followed a fair procedure.

Do you fall into the category of employers who need to produce a gender pay gap report this year? The deadline is fast approaching and 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.