

OPEN

NOW

*This Week in Employment Law*

**08-02-2021**

## Application for traineeship incentive now open

**The Government has confirmed that employers can now apply for the £1,000 grant for hiring a trainee. We explore what employers should know below:**

- In July 2020, the Government announced that it would be reforming and expanding the traineeships programme for young people from September 2020, in order to help them into work, apprenticeship, or further education.
- It was also announced that employers who take on trainees will be able to claim a £1,000 incentive grant.
- Since 27 January 2021, employers have been able to apply for this incentive, covering placements held between 1 September 2020 and 31 July 2021.
- A traineeship is for young people aged 16-24 years old and includes a range of courses – classroom-based tuition in maths, English and CV writing – and a 'high-quality' 70 hours minimum of unpaid work experience.
- Employers can hire as many trainees as they wish, but they can only claim a grant of up to a maximum of 10 trainees per region.
- This means that multi-sited employers can claim up to a maximum of 10 incentive payments per trainee, per region.
- Trainees are not considered employees, workers, or apprentices and are therefore not afforded the same employment rights.
- Employers will have until 21 October 2021 to make a claim for the incentive but are being encouraged to put their claims forward as and when each traineeship placement is complete, up to a maximum of 10.

### Government widens access to rapid workplace testing

The Government has announced a drive to increase workplace testing in sectors open during lockdown, in order to detect coronavirus in people who are not showing symptoms. Previously, to join the rapid workplace testing programme, businesses had to have more than 250 employees, but that number will now be reduced to 50. The Health Secretary has said that this move is to encourage more businesses to introduce rapid testing.

#### Did you know?

Although rapid testing at work is not a legal requirement, employers have a duty of care to take reasonable steps to ensure staff health and wellbeing is prioritised, which may include utilising rapid testing.

### Domestic Abuse Bill proposes more workplace protections

Spearheaded by the Shadow Minister for domestic violence and safeguarding, amendments are being made to the Domestic Abuse Bill as it moves through Parliament, to ensure that domestic abuse protection orders apply to the workplace. These new protection orders are a preventive tool to keep affected people safe, giving them some respite as well as referral to support services without interference from the perpetrator.

#### Did you know?

This Bill will need to be formally passed before becoming legally binding, but employers can begin to make reasonable changes to accommodate those who may be affected by domestic abuse.

### EAT rules on Agency Worker Regulations

The Employment Appeal Tribunal (EAT) has held that the right for agency workers to be notified of job vacancies available at a host organisation is purely a right to information, which does not create an automatic right to be allowed to apply or be considered for the vacancy. The claimant had argued that the right to information must also amount to a right to apply for a vacancy.

#### Did you know?

The Agency Workers Regulations 2010 provides agency workers with a day one right to be informed by the hiring organisations of any internal vacancies. It gives agency workers the same right to information as direct recruits.

The eligibility criteria for a traineeship incentive grant must be met before employers apply. For help assessing whether you may already be eligible, or how you can become eligible, contact our 24-hour Advisory Service for 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.