

GOOD NEWS

This Week in Employment Law

15-03-2021

Scotland and Wales roadmap updates

Further details have been released on the Scotland and Wales roadmaps out of their current coronavirus lockdown measures. We explore what employers should know below:

- In Scotland, the stay at home order will change to "stay local" from 2 April 2021 and from 5 April 2021 hairdressers and barbers can reopen for appointments only.
- From 26 April 2021, not only will all non-essential shops and retail reopen but we now know that hospitality businesses will be able to serve people outdoors until 10pm. There may also be a limited indoor reopening of hospitality with an 8pm curfew.
- Shielding is also expected to end on 26 April 2021 as the country's Mainland moves into level 3 of its Covid alert system.
- From 17 May 2021, all areas of Scotland are expected to move to level 2.
- From early June 2021 and beyond, it is hoped that all of Scotland will move to level 1 and then 0 depending on coronavirus data.
- In Wales, since 13 March 2021, outdoor sports facilities such as golf, tennis and basketball have been able to reopen.
- On 15 March 2021 hairdressers and barbers were able to reopen for appointments only.
- From 22 March 2021, garden centres can reopen, and from 27 March 2021 – if coronavirus case rates remain low – self-contained accommodation and libraries will be able to reopen.
- Finally, from 12 April 2021, non-essential shops and remaining close contact services will be able to re-open.

Survey suggests the future of the workplace is hybrid

A survey of 2,000 office workers by the British Council for Offices has found that participants at all levels and seniority favour not only working from the office but also from home, creating a "hybrid" working arrangement which could soon take the spotlight from traditional working norms. This may also be an indication of how some organisations will operate postpandemic.

Did you know?

Hybrid working is not a legal obligation on employers but those who do wish to accept it should ensure that the mechanisms in place – e.g. policies and contracts – encourage its success for both their business and staff.

Recent tribunal figures show an increase in case numbers

The Ministry of Justice has released tribunal statistics for October to December 2020. In a summary of the data, it is clear that there was an increase, when compared to the same period last year, in age discrimination claims as well as claims on failure to consult on TUPE. On another note, there was a noticeable decline in claims relating to failure to consult on redundancy.

Did you know?

Employers can find alternative ways of settling a dispute – e.g. a settlement agreement or at the Early Conciliation stage. This can reduce the financial risk of facing a tribunal and the reputational risk of judgment being published online.

Dismissal over social media post unfair, ET rules

The Employment Tribunal (ET) has ruled that a claimant was unfairly dismissed after posting his frustrations with his employer on social media. The ET's decision focussed on the employer's failure to carry out a proper investigation of the incident and give proper notice, to the claimant, that a disciplinary hearing would be taking place. This in turn meant the claimant could not properly defend himself.

Did you know?

Employers can successfully defend unfair dismissal claims if they can show that they had a fair reason to dismiss, if they investigate the issue, and if they follow a fair disciplinary procedure.

The updates to the Scotland and Wales roadmaps show promise for employers. If you need advice on how to manage staff, you can 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.