

Employment Law

Key facts

Employment tribunal awards	From 6 April 2020	From 6 April 2021
One week's pay (for basic award)	£538	£544
Maximum basic award	£16,140	£16,320
Maximum compensatory award	The lower of £88,519 and 52 weeks' actual gross pay	The lower of £89,493 and 52 weeks' actual gross pay
Compensatory award for automatic unfair dismissal (whistle-blowing/health and safety)	No limit	No limit
Discrimination compensation	No limit	No limit
Maximum contract claim	£25,000	£25,000
Failure to provide statement of written particulars	2 or 4 weeks' pay (£1,076 or £2,152)	2 or 4 weeks' pay (£1,088 or £2,176)
Breach of right to be accompanied	2 weeks' pay (£1,076)	2 weeks' pay (£1,088)
Breach of flexible working regulations	8 weeks' pay (£4,304)	8 weeks' pay (£4,352)

Calculating a basic award/statutory redundancy payment (SRP)	From 6 April 2020	From 6 April 2021
Each year of employment below 22	½ week's pay	½ week's pay
Each year of employment between 22 and 40	1 week's pay	1 week's pay
Each year of employment 41+	1½ week's pay	1½ week's pay
One week's pay	£538	£544
Maximum length of service	20 years	20 years
Maximum SRP	£16,140	£16,320
Guarantee pay	£30 per day (maximum £150 or 5 days in 3 months)	£30 per day (maximum £150 or 5 days in 3 months)

Consultation	
Failure to inform/consult on a TUPE transfer	13 weeks' actual pay
Failure to consult on a collective redundancy	90 days' actual pay
Failure to file an HR1 form	Unlimited

Collective consultation	
100+ redundancies in 90 days	Minimum 45 days' consultation
20-99 redundancies in 90 days	Minimum 30 days' consultation

National minimum wage	From 1 April 2020	From 1 April 2021
National living wage 25+ (23+ from 01.04.21)	£8.72 per hour	£8.91 per hour
Adult rate 21+	£8.20 per hour	£8.36 per hour
Development rate 18-20	£6.45 per hour	£6.56 per hour
Youth rate 16-17	£4.55 per hour	£4.62 per hour
Apprentice rate (under 19 or in first year)	£4.15 per hour	£4.30 per hour
Accommodation offset	£8.20 per day	£8.36 per day

Statutory sick payments	Amount (per week)		Period
	From 6 April 2020	From 6 April 2021	
Statutory sick pay	£95.85	£96.35	28 weeks
Statutory family payments	Amount (per week)		Period
	From 5 April 2020	From 4 April 2021	
Statutory maternity pay	90% of actual pay £151.20	90% of actual pay £151.97	6 weeks 33 weeks
Statutory paternity pay	£151.20	£151.97	1 or 2 weeks
Statutory adoption pay	90% of actual pay £151.20	90% of actual pay £151.97	6 weeks 33 weeks
Shared parental pay	£151.20 or 90% of normal weekly earnings if lower	£151.97 or 90% of normal weekly earnings if lower	39 weeks less any time taken by the mother or adopter
Parental bereavement pay	£151.20 or 90% of normal weekly earnings if lower	£151.97 or 90% of normal weekly earnings if lower	2 weeks

Statutory notice to employer	
Under 1 month's service	None
1 month+	1 week

Statutory notice to employee	
Under 1 month's service	None
1 month to 2 years	1 week
2-12 years	1 week per year of employment
12 years+	12 weeks

Working Time Regulations (subject to exceptions and special cases)	
Paid annual leave	5.6 weeks
Rest break after 6 hours	20 minutes (30 minutes after 4½ hours for 16-17 year olds)
Daily rest period	11 hours (12 hours for 16-17 year olds)
Weekly rest period	24 hours (48 hours for 16-17 year olds)
Maximum average working time	48 hours per week in last 17 weeks

Vento bands (compensation for injury to feelings in discrimination claims)	From 6 April 2020	From 6 April 2021
Lower band	£900 to £9,000	£900 to £9,100
Middle band	£9,000 to £27,000	£9,100 to £27,400
Upper band	£27,000 to £45,000	£27,400 to £45,600

Contact us



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