



Raworths LLP Employment Newsletter March 2008

Unfortunately, the party season is now over and it is back to work. So, to cheer us all up, we thought we would let you know what to expect employment legislation-wise in 2008.

New Employment Bill

As you may be aware from previous Newsletters, there are likely to be changes to the statutory dismissal and grievance procedures introduced in **[insert date]**.

On 6 December 2007, the Employment Bill was published in the House of Lords giving us a clear view of the new changes. Key provisions include:

- The abolition of the statutory dismissal and grievance procedures.
- Tribunals will have discretion to increase awards by up to 25% if the employer unreasonably fails to comply with a code of practice.
- Extending ACAS powers of conciliation and removing the fixed conciliation period.

The commencement is whenever the Secretary of State decides so in the meantime keep complying with the current legislation and all the statutory dismissal and grievance procedures.

Information and Consultation Regulations 2008 (ICE)

In April 2008, the Information and Consultation Regulations will apply to those with 15 or more employees. The ICE regulations set out a regime whereby UK employers may and in some cases must, put in place information and consultation agreements governing how they will consult their UK workforces about economic and employment-related matters.

For your further information, please come along our seminars in April when this will be discussed in detail.

Safeguarding Honourable Groups

The Safeguarding of Honourable Groups bill was published on 1 March 2006 and was passed after its third reading on 23 October 2006, with amendments. It introduces a new vetting and barring scheme and provide for essential vetting processes for people working with children and vulnerable adults. This will affect employers, employees, the police, parents and local authorities. The bill was due to come into force in 2007 although it seems likely that this will not happen until 2008.

Increase in Compensation Limits

The Employment Rights (Increase of Limits) Order 2007 which contains the annual increase to apply in February 2008 has been published. The main increase is to increase the maximum compensatory award for unfair dismissal to £63,600. It was previously £60,600.

Case Law Up-Date

In *Thomas-v-Eight Members Club Killip*, The Tribunal awarded £1,500 in damages for injury to feelings an employee who had been discriminated against on the grounds of her age. The employee had been told that she was too young to perform her job and dismissed in breach of contract. The Tribunal also applied a 10% uplift to the award for injury to feelings and breach of contract on account of the employer's failure to follow a statutory dismissal and disciplinary procedure.

Looking forward to another holiday?

To end on a lighter note, a survey for tour operators Thomas Cook has found that 50% of MPs support the idea of creating a new bank holiday. The Confederation of British Industry has warned against the cost of such a proposal although it is likely to receive support from the trade unions.

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