



## Communications

Date: April 5th 2013

### Employment law changes taking place in April 2013

The following changes to employment law come into effect this month:

- The Legal Aid, Sentencing and Punishment of Offenders Act 2012 has removed new employment law cases in England and Wales from the scope of legal aid with effect from 1 April 2013, except in relation to discrimination complaints. This means that the Legal Help Scheme, which provided public funding for advice and assistance for the preparation of tribunal claims up to, but not including, representation at employment tribunal hearings where claimants met a merits and means test for assistance, will no longer be available. However, discrimination cases will remain within the scope of legal aid but the service will in future be provided remotely through telephone or online advice, with claimants only receiving face-to-face advice if the provider considers they cannot be advised over the phone or by e-mail.
- The Trade Union and Labour Relations (Consolidation) Act 1992 (Amendment) Order 2013 amends certain provisions relating to collective redundancies in the Trade Union and Labour Relations (Consolidation) Act 1992 with effect from 6 April 2013.

The amendments (a) reduce from 90 to 45 the minimum number of days which must elapse before the first dismissal can take effect in cases where the employer is proposing to dismiss 100 or more employees as redundant at one establishment within a period of 90 days or less; (b) make a similar reduction to the minimum period of notice which the employer in such cases must give to the Secretary of State (on the HR1 form) before the first dismissal can take effect; and (c) exclude the expiry of fixed-term contracts from the statutory provisions dealing with collective redundancies. The

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changes apply to proposals to make large-scale redundancies which are made on or after 6 April 2013.

- The Social Security Benefits Up-rating Order 2013 will increase the standard rates of statutory maternity pay (SMP), ordinary and additional statutory paternity pay (OSPP and ASPP) and statutory adoption pay (SAP) from £135.45 to £136.78 per week from 7 April 2013 and will also increase the rate of statutory sick pay (SSP) from £85.85 to £86.70 per week from 6 April 2013. The lower earnings limit applying to National Insurance contributions, below which employees are not entitled to SSP, SMP, OSPP, ASPP and SAP, will increase from £107 to £109 per week from 6 April 2013.

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