



ActifHR

Where people matter...

May 2020 Update

Welcome to this month's update - where we discuss the latest guidance and legislation.

In this Edition we report on:

- Covid-19 Returning to work – risk assessments and procedures: fixed price package
 - Holiday leave during Furlough Leave
 - Extension of IR35 Postponed
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Covid-19 Returning to work – risk assessments and procedures: fixed price package

Many employers are evaluating the steps needed to return to work. Businesses need to have clean practices in place, it is not just a matter of switching the lights back on.

The guidance expects employers to have appropriate procedures when creating a Risk Assessment.

We can guide you through:

- How to take care of your staff and safeguard their health and welfare on their return to the workplace
- The steps needed to get your workplace safe
- The COVID-19 Risk Assessment you should do

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- COVID-19 Response plan Template documents for implementing a practical return to work to include:

- * Guidance for returning to work for employees
- * Meeting guidance
- * Risk assessment document
- * High traffic use identification
- * How to assess your workplace initially and on a regular basis
- * Workplace zone allocation
- * Practical adaptations to the workplace
- * Cleaning schedule and task allocation spreadsheet
- * Supplies ordering record

This comprehensive plan is easy to operate and get you off the ground. Communicating and implementing this plan will build trust and a healthier environment for your staff and customers.

Employers: We are offering this package of documents and a thirty-minute advice call for a fixed price of £350 up to the end of May (usual price is £450)

Contact us: For advice, procedures and documents

Holiday leave during Furlough Leave

Many employers are now expecting employees to take annual leave while on furlough, mainly to prevent them building up eight months' worth of holiday (furlough now being extended to last between 1 March and 31 October 2020) being due when they return to work or their employment ends.

The government has published guidance, which supports a view I have expressed previously (but which is not accepted by all professionals) that employers can require employees to take holiday during furlough.

The relevant part of the guidance states:- *"If an employer requires a worker to take holiday while on furlough, the employer should consider whether any restrictions the worker is under, such as the need to socially distance or self-isolate, would prevent the worker from resting, relaxing and enjoying leisure time, which is the fundamental purpose of holiday."*

An employers can expect employees to take holiday during furlough leave, but they must comply with regulation 15 of the Working Time Regulations and give twice the amount of notice as the holiday leave to take as well as paying the holiday pay at 100%.

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Employers: Make sure you are clear with employees about the taking of holidays in furlough

Contact us: we can assist with Furlough leave advice.

Extension of IR35 Postponed

The government has announced that the extension of IR35 to large and medium companies in the private sector is being postponed by a year, to 6 April 2021.

The IR35 tax rules are aimed at making sure that where a contractor who provides their services through an intermediary (often their own limited company) would be considered to be an employee if that intermediary were not used, that contractor is subject to broadly the same tax and National Insurance contributions as employees.

Employers: Make sure you have the right contractor agreements in place

Contact us: We can assist with advising on contractor agreements



Caroline has a wealth of experience supporting business clients with practical hands on HR and Employment Law advice. Caroline's pragmatic approach helps businesses of all sizes deal with complex HR situations. She qualified as a Solicitor in 1999 and now acts as a specialist Human Resource / employment Law Consultant to business.

Caroline Robertson, Director



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