



ActifHR

Where people matter...

February 2021 Update

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

In this Edition we report on:

- HMRC has published the list of employers who made furlough claims
 - Brexit – To review employees' rights or not?
 - How can HR support working parents?
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HMRC has published the list of employers who made furlough claims

HMRC has recently published the list of all employers who made furlough claims during the month of December 2020.

Although HMRC has not set out any reason for doing this, it is most likely to shame larger employers and discourage them from claiming alongside as well as an attempt to help combat furlough fraud (such as a small business where its employees are all still working, but the business is claiming for furlough pay).

Though my number one productivity destruction tip: begin searching for the names of businesses you know... it's the rabbit hole from which you'll never escape.

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HMRC has also published an new Direction for the Coronavirus Retention Scheme, the main points include:

1. Further clarification that furlough pay in March/April 2021 should refer back to the corresponding month in March/April 2019, and not March/April 2020 (as that would involve looking at a period when people could have been on furlough pay). The calculation for 'usual hours' of work is similarly amended.
2. The deadline for changing a claim is extended from 15th of the following month to the end of the following month.
3. Confirmation that the furlough scheme is extended to 31 April. Even those who respect this government find it difficult to believe they can add an extra day to April.

Employers: For the list: [List of all employers who made furlough claims](#)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956979/Employer_claim_data_-_December_2020.csv/preview

Contact us: We can review your documents and policies

Brexit – To review employees' rights or not?

It has just been announced that a controversial government review of EU-derived employment laws will not be taking place.

Under the terms of the Brexit agreement, the UK is now able to diverge from regulations derived from Europe. As of last week, the business minister, Kwasi Kwarteng, confirmed his department would be looking at the Working Time Directive and other rules around breaks and pay.

However, it seems Kwarteng has appeared to do a U-turn on his previous statement, saying that the review is no longer happening.

So what does the Brexit deal mean for HR?

Particular industries, like hospitality, have relied on workers from the EU to fill often low paid jobs. Therefore, employers must look at improving pay and conditions to entice new workers after Brexit.

Brexit: the end of employment rights?

Kwarteng has stated that the whole point of having successfully left the EU, is that we want high wages, and therefore high-quality skills and a high growth economy. The government is not interested in eroding away workers' rights.

It seems that a major review of EU-derived employment law is simply not being prioritised right now. Perhaps a more pressing issue the government should be focusing on, before looking at deregulation, is looking at how existing employment rights are enforced.

However, if the review doesn't go ahead then business leaders and employees must be provided with clarity about what happens next.

Employers: changes must be backed with clear detail and balanced against company needs in these difficult times

Contact us: We can assist HR and Employment law guidance as needed

How can HR support working parents?

With many parents back to having to balance working from home with childcare responsibilities, what can employers do to make the situation easier?

It's critical for employers to recognise many parents could be struggling to work alongside increased childcare responsibilities. HR needs to have set plans to continue to support them during this demanding time.

This could include a range of flexible working arrangements such as, altered role responsibilities or for part-timers to divide their hours over more days. If these solutions are

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not sustainable it may be worth seeing if employees could be put on flexible furlough leave or short term pay, make use of parental leave, unpaid leave or take some holiday.

Encourage managers to have regular catch-ups with staff to go through the options that could help them, as well as checking on their wellbeing. It is also worth considering having a relaxed approach to children being heard and seen on calls, or that it is acceptable to put a call on hold while they deal with a child. This means that parents have decreased stress relating to interruptions. Some companies have set up informal chat channels for parents to swap resources and ideas for home activities.

The important thing is that parents don't feel they have to constantly pretend everything is normal, as this amounts to unnecessary stress onto an already challenging situation.

Employers: Flexibility is needed as every parent has a different role and circumstances to manage when it comes to childcare

Contact us: We can assist with a remote working policy and guidance



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.

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