



Employment Law
Facts and Figures
April 2021 – March 2022

Statutory Rates of Pay



National Minimum Wage/Living Wage	
Category	Rate from 1 April 2021
23 and over	£8.91 per hour
21 - 22	£8.36 per hour
Apprentice (under 19 or over 19 in 1 st year of apprenticeship)	£4.30 per hour
18 - 20	£6.56 per hour
16 - 17	£4.62 per hour
Accommodation offset limit (maximum daily deduction for other living accommodation)	£8.36 per day

Sickness and Guarantee Payments	
Payment	Rate from 1 April 2021
Statutory Sick Pay	£96.35 per week (for up to 28 weeks per period of incapacity)
Guarantee Pay (lay-off of short-time working)	£30 maximum per day (subject to a maximum of five days or £150 in 3 months)

Statutory Rates of Pay



Maternity, Paternity and Adoption		
Category	Rate per week from 4 April 2021	Duration
Statutory Maternity Pay	90 % of earnings	First 6 weeks
	£151.97 (or 90% of earnings if lower)	Following 33 weeks
Statutory Paternity Pay	£151.97 (or 90% of earnings if lower)	2 weeks
Statutory Adoption Pay	90 % of earnings	First 6 weeks
	£151.97 (or 90% of earnings if lower)	Following 33 weeks
Shared Parental Leave	£151.97 (or 90% of earnings if lower)	39 weeks less any weeks taken by mother or adopter in receipt of one of the above payments.

Statutory Rights



Right	Minimum Amount
Holiday	5.6 weeks per year
Rest breaks (standard)	20 minutes after 6 hours work
Rest breaks (16-17 year olds)	30 minutes after 4.5 hours work
Daily rest (standard)	11 hours
Daily rest (16-17 year olds)	12 hours
Weekly rest (standard)	24 hours
Weekly rest (16-17 year olds)	48 hours
Maximum working time	48 hours per week (per 17 week reference period)
Notice	
Employer to employee: 1 month - 2 years' service	1 week
Employer to employee: Over 2 years' service	1 week per complete year's service up to a maximum of 12 weeks.
Employee to employer: Over 1 month's service	1 week
Either party: Less than 1 month's service	0 weeks

Qualifying Service Periods



Claims	Length of Service required
Ordinary unfair dismissal	2 years
Constructive dismissal	2 years
Discrimination	None
Statutory Redundancy Pay	2 years
Statutory Guarantee Pay	1 month
Wrongful dismissal/breach of contract	None
Automatically unfair dismissal (e.g. due to pregnancy, family leave, whistleblowing, health and safety activities etc.)	None
Failure to provide written particulars of employment	1 month
Payment of salary during suspension on medical grounds for health and safety reasons	1 month
Unfair dismissal for reason connected with medical suspension	1 month
Written reasons for dismissal	2 years
Failure to consult with representatives over collective redundancies	None
Failure to consult with representatives over a business transfer	None

Qualifying Service Periods



Statutory Right	Length of Service required
52 weeks maternity leave	None
Two weeks paternity leave	26 weeks
Statutory Maternity Pay	26 weeks service at the end of the 15 th week before expected week of birth.
Shared Parental Pay	26 weeks service at the end of the 15 th week before expected week of birth.
Statutory Maternity Allowance	None
To request flexible working	26 weeks
At least one week's notice of termination of employment	1 month
18 weeks' unpaid parental leave in respect of each child	1 year
Paid time off for antenatal care	None
Unpaid time off to care for dependants	None
Written statement of particulars of employment	None
To be accompanied to a grievance or disciplinary meeting	None

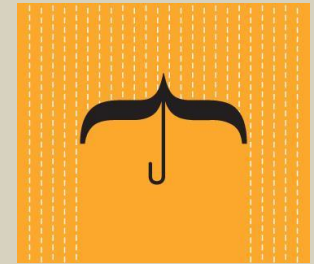
Calculating Statutory Redundancy Pay and the Basic Award for Unfair Dismissal



Relevant Service	Multiplier
Each year of employment over 41	1.5 weeks pay
Each year of employment aged 22 - 40	1 weeks pay
Each year of employment aged under 21	0.5 weeks pay

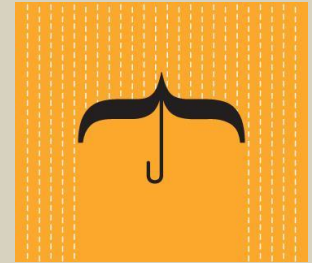
Cap on a week's pay	£544
Cap on number of years	20
Total redundancy pay cap	£16,320

Employment Tribunal Compensation Limits



Claim	Maximum award from 6 April 2021	
Breach of Contract	£25,000	
Unfair Dismissal Basic Award	£16,320	
Unfair Dismissal Compensatory Award	52 weeks pay or £89,493	
Statutory Redundancy Pay	£16,320	
Discrimination	No limit	
Dismissal for making a protected disclosure/ whistleblowing – Compensatory Award	No limit	
Dismissal for union/employee representative or pension trustee reasons – Basic Award	Minimum	Maximum
	£6,634	£16,320
Dismissal for union/employee representative or pension trustee reasons – Compensatory Award	52 weeks pay or £89,493	
Dismissal for health and safety Reasons – Basic Award	Minimum	Maximum
	£6,562	£16,320
Dismissal for health and safety Reasons – Compensatory Award	No limit	

Employment Tribunal Compensation Limits



Claim	Maximum award from 6 April 2021
Failure to conduct collective consultation	90 days gross pay per dismissed employee
Failure to inform and consult over a TUPE transfer	13 weeks gross pay per employee
Right to be accompanied to a grievance or disciplinary meeting	£1,088 (2 weeks' pay)
Breach of flexible working regulations	£4,352 (8 weeks' pay)
Failure to provide a section 1 statement of employment particulars	£1,088 - £2,176 (2 – 4 weeks' pay)

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Business Law for Business People

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