

## COMPENSATION LIMITS

The limits applicable to certain Employment Tribunal awards are to be increased from 6 April 2023

EMPLOYMENT RIGHT	MAXIMUM AWARD	
	OLD AMOUNT	NEW AMOUNT
<b>Unfair Dismissal</b>		
Basic Award	£17,130 (a) (b)	£19,290 (a) (b)
Compensatory Award	£93,878 (a) (b)	£105,707 (a) (b)
Additional Award (unreasonable failure to reinstate)	£14,846 - £29,692 i.e. 26-52 weeks' capped pay	£16,718 - £33,436 i.e. 26-52 weeks' capped pay
<b>Redundancy Pay</b>		
Limit on week's pay for calculation purposes (where applicable)	£17,130 (a) (c)	£19,290 (a) (c)
	£571 (gross) (b)	£643 (gross) (b)
<b>Discrimination</b>		
Race, sex, disability, sexual orientation, religion or belief, age, gender reassignment, pregnancy/maternity, marriage/civil partnership	No Limit	No Limit
<b>Breach of Contract claim/wrongful dismissal</b> (Employment Tribunal claims)	£25,000	£25,000
<b>Dismissal for union/employee representative or pension trustee reasons</b>		
Basic Award	£17,130 (min £6,959)	£19,290 (min £7,836)
Health and safety reasons		
Basic Award	£17,130 (min £6,959)	£19,290 (min £7,836)
Compensatory Award	No Limit	No Limit
<b>Dismissal for 'whistle blowing' (protected disclosure)</b>		
Compensatory Award	No Limit	No Limit

- (a) The Secretary of State will change these figures annually in line with the retail prices index every year.
- (b) Applies to dismissals where the effective date of termination falls on or after 6 April 2023.
- (c) Applies to dismissals where the "appropriate date" falls on or after 6 April 2023.

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# EMPLOYMENT LAW FACTS & FIGURES

## 2023

## STATUTORY PAYMENTS

NATIONAL MINIMUM WAGE		
AGE	CURRENT AMOUNT	FROM 1 APRIL 2023
16 - 17	£4.81 per hour	£5.28 per hour
18 - 20 *	£6.83 per hour	£7.49 per hour
Apprenticeship Rate **	£4.81 per hour	£5.28 per hour
21 - 22	£9.18 per hour	£10.18 per hour
NATIONAL LIVING WAGE		
AGE	CURRENT AMOUNT	FROM 1 APRIL 2023
23+	£9.50 per hour	£10.42 per hour
* Development Rate		
** Applies to apprentices under 19 years old or over 19 but in first year of apprenticeship		
GUARANTEE PAY		
CURRENT AMOUNT	FROM 6 APRIL 2023	
Limit on amount of guarantee payment payable to an employee in respect of any day	£155.00 (5 days in any period of 3 months) (£31.00 a day)	£175.00 (5 days in any period of 3 months) (£35.00 a day)
FAMILY FRIENDLY PAY RATES		
CURRENT AMOUNT	FROM 10 APRIL 2022	
Statutory Maternity Pay - standard rate	£156.66 per week	£172.48 per week
Statutory Paternity Pay - standard rate	£156.66 per week	£172.48 per week
Statutory Adoption Pay - standard rate	£156.66 per week	£172.48 per week
Shared Parental Pay	£156.66 per week	£172.48 per week
SICK PAY RATES		
CURRENT AMOUNT	FROM 10 APRIL 2022	
Statutory Sick Pay - standard rate	£99.35 per week	£109.40 per week

## ACCRUAL OF EMPLOYMENT RIGHTS

### QUALIFYING PERIOD

Day 1

- ▲ Protection against UNFAIR DISMISSAL for various reasons including:
  - Pregnancy/childbirth and maternity, adoption, paternity, parental and shared parental leave;
  - Undertaking activities aimed at improving health and safety;
  - Refusal to work on Sundays;
  - Assertion of rights under Working Time Regulations;
  - Performance of duties as trustee of occupational pension scheme;
  - Performance of functions as employee representative;
  - Making a protected disclosure;
  - Assertion of statutory rights, including right to National Minimum Wage and right to certain tax credits;
  - Claim for union recognition;
  - Trade union reason;
  - Part-time worker or fixed term employee status.
- ▲ 52 weeks maternity or adoption leave for employees regardless of their length of service
- ▲ Protection against DISCRIMINATION on grounds of Sex, Race, Religion or belief, Sexual orientation, Disability, Age, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity
- ▲ A written statement of particulars of employment to be issued to all 'workers'

### QUALIFYING PERIOD

1 month

- ▲ At least one week's notice of termination of contract
- ▲ Guarantee payment in case of lack of work
- ▲ Payment of salary during suspension on medical grounds for health and safety reasons
- ▲ Right not to be dismissed on medical grounds for health and safety reasons

### QUALIFYING PERIOD

26 Weeks

- ▲ Two weeks' paid paternity leave within 56 days of birth or adoption ('ordinary paternity leave')
- ▲ 6 weeks maternity or adoption pay at 90% of employee's salary and 33 weeks at the standard SMP/SAP rates
- ▲ 39 weeks Shared Parental Pay (less any weeks of SMP, MA or SAP)
- ▲ Right to request time off to train (where employer has 250 or more employees)
- ▲ Right to request flexible working

### QUALIFYING PERIOD

2 Years

- ▲ Right to receive a statutory redundancy payment
- ▲ Protection from unfair dismissal for reasons other than those listed above

## Howes Percival LLP Employment Team

Our employment law specialists provide comprehensive, practical and commercial legal advice in all areas of employment law and HR related work and representation at Employment Tribunals.

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