

## Qualifying Periods and Time Limits for Claims

Complaint	Qualifying Period	Time Limit to bring claim
Written reasons for dismissal	2 Years	3 months starting with EDT
Unfair Dismissal	2 Years	3 months starting with EDT
Automatic unfair dismissal	None	3 months starting with EDT
Redundancy Payment	2 Years	6 months from relevant date
Failure to consult (redundancies)	None	Before the date of last dismissal or 3 months starting with that date
Discrimination	None	3 months from date of last complaint
Equal Pay	None	6 months from last day of employment
Guarantee Pay	1 Month	3 months from date when payment was payable
Written particulars of employment	None	3 months from date employment ceased
Breach of contract	None	3 months starting with EDT

EDT - Effective Date of Termination

### National Minimum Wage

#### As of 1 April 2022

National Minimum Wage/ 23+	£9.50 per hour
21 to 22	£9.18 per hour
18 to 20	£6.83 per hour
Under 18	£4.81 per hour
Apprentice	£4.81 per hour

#### As of 1 April 2023

National Minimum Wage/ 23+	£10.42 per hour
21 to 22	£10.18 per hour
18 to 20	£7.49 per hour
Under 18	£5.28 per hour
Apprentice	£5.28 per hour



# Employment Fact Card

April 2023

## The Employment Team



01242 224433



[bpe.co.uk/for-business/employment/](https://bpe.co.uk/for-business/employment/)

## Statutory Notice Period

Length of Employment	Notice to employee from employer
Under 1 month	No statutory notice required
1 month to 2 years	1 week
2 years to 12 years	1 week for each completed year of employment
12 years or more	12 weeks

## Statutory Redundancy Pay

Age	Redundancy pay entitlement
21 or under	0.5 week's pay for each year of service
Between 22 and 40	1 week's pay for each year of service
41 or over	1.5 week's pay for each year of service

Maximum gross weekly pay - £643

Maximum number of service years - 20

Qualifying period - 2 years' service

## Weekly payments - Family Friendly Policies

Paternity Pay	£172.48
Adoption Pay	£172.48
Shared Parental Leave Pay	£172.48
Lower Earnings Limit	£123.00

## Parental Bereavement Leave and Pay

Qualifying service for leave	No qualifying service needed
Qualifying service for pay	26 weeks service - £172.48 per week

The right to take 2 weeks leave (unpaid or paid) upon the death of a child (under 18) or stillbirth after 24th week of pregnancy

All employees qualify, leave to be taken in 1-week or 2-week blocks within 56 weeks of child's death

## Statutory Sick Pay

£109.40 per week

Paid by employer for up to 28 weeks.

## Statutory Maternity Pay

Paid for up to 39 weeks

90% of average weekly earnings (before tax) for the first 6 weeks

£172.48 or 90% of average weekly earnings (whichever is lower) for the next 33 weeks

## Parental Leave

1 year of continuous service required.

The right for 18 weeks' unpaid leave for each child (up to their 18th birthday).

Leave to be taken as whole weeks, 21 days notice to be given, maximum 4 weeks leave per year.

## Working Time Regulations

Holidays	5.6 weeks paid holiday per year, inclusive of bank holidays
Weekly working limits	An average of 48 hours per week over a 17-week period maximum.
Weekly Rest	24 hours of uninterrupted rest per week
Daily Rest	11 hours of uninterrupted rest per day
Night working limits	An average of 8 hours work in 24 hours maximum
Rest Breaks	A 20 minute rest break when working for more than 6 hours per day

## Unfair Dismissal - Compensation Limits

Limit on week's pay	£643
Statutory redundancy/basic award for unfair dismissal	£19,290 (max)
Compensatory award for unfair dismissal	£105,707 or 52 times claimant's weekly pay, whichever is lower
Compensatory award for discrimination	No limits, but Vento guidelines: Lower - £1,100 - £11,200 Mid - £11,200 - £33,700 Upper - £33,700 - £56,200+
Failure to comply with Flexible Working Regulations	Up to 8 weeks' pay £5,144 max
Failure to provide written particulars from day 1	2 or 4 weeks' pay £1,286 - £2,572 (max)
Breach of contract in tribunal	£25,000 (max)
Failure to collectively consult over redundancy	Up to 90 days' gross actual pay per dismissed employee
Failure to inform/consult over TUPE transfer	Up to 13 weeks' gross actual pay per employee
Guarantee payment	£35 limit payable to an employee for a day
Failure to comply with worker's right to be accompanied in disciplinary and grievance hearings	Up to two week's pay £1,286 (max)
Refusal of time off for redundant employees (looking for work/training)	40% of a week's actual pay maximum
Unlawful deduction or payment from wages	No Limits