

Bristows Brief – Key Employment Law Changes April 2024

Various legislative changes came into effect on 6 April 2024. Most of these relate to entitlements to take leave and will involve employers having to amend their existing policies. The below table sets out changes to statutory leave and benefits that employers need to be aware of.

Should you require any support in amending your policies from the Employment team at Bristows feel free to contact us. You can find our contact details at the end of this brief.

Type of leave/benefit	Key changes	Employees affected and when
Paternity leave	<ul style="list-style-type: none">Eligible employees can now take their two-week paternity leave entitlement as one two-week period or <u>two separate one-week periods</u>, rather than only having the option to take one period of leave (of either one or two weeks).Eligible employees will be able to take their paternity leave at any time in <u>the year</u> (rather than the current eight-week period) following childbirth or adoption.The required notice period for each period of leave will now be <u>28 days</u> (including notices amending the requested date of leave).The existing requirement for the employee to give notice of their entitlement to take paternity leave 15 weeks before childbirth remains in place, but the date of leave does not need to be specified at that time.The rules on domestic adoption notices have not changed.	<ul style="list-style-type: none">Eligible fathers/partners to mothers of children whose expected week of childbirth begins on or after 7 April 2024.Eligible fathers/partners to mothers of children whose expected date of placement for domestic adoption is on or after 6 April 2024.

Type of leave/benefit	Key changes	Employees affected and when
Carer's leave	<p>Employees are now able to one week's unpaid leave (on a continuous or discontinuous basis) in each rolling 12-month period to give or arrange care for a 'dependant' who has:</p> <ul style="list-style-type: none"> a physical or mental illness or injury that means they're expected to need care for more than 3 months. a disability (as defined in the Equality Act 2010). care needs because of their old age. <p>The dependant does not have to be a family member. It can be anyone who relies on the employee for care.</p> <p>Further information on carer's leave is set out in our previous article.</p>	<ul style="list-style-type: none"> All employees eligible from 6 April 2024 (no service requirement).
Protective treatment in redundancy situations	<ul style="list-style-type: none"> Pregnancy/maternity: Employees will now have the right of first refusal in respect of suitable alternative roles in a redundancy situation ("Redundancy ROFR") from the date that they inform their employer of their pregnancy, through to the date falling 18 months after the first day of the estimated week of childbirth (or 18 months after the child's actual date of birth if notified to the employer during maternity leave). Adoption leave: Employees will now have a Redundancy ROFR for the 18-month period following the date of placement for adoption. Shared parental leave: If not already protected under the new maternity/adoption rules above, employees who take at least six continuous weeks' shared parental leave will now have a Redundancy ROFR for 18 months following the child's birth. For those taking less than six weeks, the existing rules will apply such that the employee will only have a Redundancy ROFR during their period of shared parental leave. 	<ul style="list-style-type: none"> Employees who inform their employer of their pregnancy on or after 6 April 2024. Employees whose maternity/adoption leave ends on or after 6 April 2024. Employees commencing a period of shared parental leave lasting at least six continuous weeks on or after 6 April 2024.

Type of leave/benefit	Key changes	Employees affected and when
Flexible working	<ul style="list-style-type: none">• The right to make a flexible working request is now a “day one” right, meaning there is no longer a minimum continuous service requirement.• Employees will be able to make <u>two requests</u> (rather than one) in any 12-month period, although employees must wait for the outcome of their first request before submitting a second.• Employers now need to <u>consult</u> with an employee before rejecting their flexible working request. The legislation does not stipulate what that consultation should cover, how long it should last or how it should be conducted.• The requirement for employees to explain what effect they think their request would have on the employer’s business and how that could be dealt with has been removed.• Employer responses to requests must be made within <u>two months</u> rather than three. <p>Further information on the flexible working changes are set out in our previous article.</p>	<ul style="list-style-type: none">• All employees who make a flexible working request on or after 6 April 2024.

Contacts



Gareth Wadley
Partner

Employment
+44 20 7400 8181
gareth.wadley@bristows.com



Justin Costley
Of Counsel

Employment
+44 20 7400 8226
justin.costley@bristows.com



Lizzie Field
Of Counsel

Employment
+44 20 7400 8213
lizzie.field@bristows.com



Emily Atkinson
Associate

Employment
+44 20 7400 8295
emily.atkinson@bristows.com



Manon Rattle
Associate

Employment
+44 20 7400 8359
manon.rattle@bristows.com