



Solutions

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Hot topics

Modern Slavery Statement

According to the International Labour Organisation, modern slavery exists in nearly every country in the world with 86% of people who are in forced labour being in the private sector.

The Modern Slavery Act 2015 was introduced to address the issues of modern-day slavery in business operations and their global supply chains.

In accordance with the Act, UK companies and subsidiaries who have an annual turnover of £36 million or more in any financial year are legally required to set out how they will tackle modern slavery through:

- Due diligence processes
- Risk assessment and management in their operations, organization structure, and supply chains
- Key performance indicators to measure preventative actions taken
- Staff training

In addition, they are required to produce and publish a **Modern Slavery Statement**. This is a document which sets out an organisation's commitment to tackling modern-day slavery and the measures it is taking to prevent it. This includes analysing their business activities and the potential risk of modern slavery being involved, carrying out checks on anyone in their supply chains, and using internal policies and training to educate their employees.

The Modern Slavery Statement must be published within six months of the organisation's financial year-end. With many organisations having April – March financial years, that means that their Statements must be published no later than the end of September.

HR Solutions can discuss with you how you are going to meet your obligations under the Modern Slavery Act. We can work with you to produce a Modern Slavery Statement in the correct format. We can also advise you on the publication of the Statement and publish it for you on the Government's Registry.

Now, for tomorrow



Flexible Working

Another bill has received Royal Assent. The Employment Relations (Flexible Working) Act 2023 will make the following changes to the current arrangements for Flexible Working Requests:

- Currently employees can only make one request in a rolling 12-month period; this will be increased to two
- Currently employees are obliged to set out in their request how they think the request will impact on the employer and how they think the employer could accommodate it; this obligation will no longer be in place
- Currently employers are required to meet with the employee (unless they can just grant the request without further discussion) and can decline the request if one or more of the statutory grounds apply (requirement for continuity, inability to provide working during the times requested etc). Employers will now have a direct obligation to consult with the employee, setting out why they are declining the request and giving the employee an opportunity to make counter-arguments
- Currently, employers have three months in which to conclude a Flexible Working Request process; this will be reduced to two

It was previously indicated that Flexible Working Requests would become a “day one” right. This is not set out in the proposed new Act; however, secondary legislation may bring this into force in the future.

Employers should note that even if they decline a request on one of the statutory grounds, if the refusal is not reasonable or the employer has not fully researched alternative options, they could be vulnerable to claims for indirect sex discrimination.

HR Solutions can draft a Flexible Working Requests policy for you and can advise you on individual requests, including how to conduct the meeting and supplying all relevant template letters.

Increases to Immigration costs

Businesses who wish to employ migrant workers will discover that it is an expensive exercise. The UK Government wants it to be so as to discourage it. In addition to the employer's costs, there are fees which must also be paid by the migrant worker. For a full five-year sponsorship, these are as set out below:

Immigration Skills Charge	£5000	Paid for by the employer
Certificate of sponsorship	£199	Paid for by the employer
Skilled Worker Visa application fee	£1253	Paid for by the worker
Immigration Health Surcharge	£3120	Paid for by the worker
Visa Application Centre fee	£75 (approx; this cost can varies from country to country)	Paid for by the worker

In addition, the UK government has announced plans to significantly increase several of these Immigration fees:

- Certificates of Sponsorships will rise by at least 20 per cent i.e. approx £240
- Skilled Worker visas will be subject to a 15 per cent increase i.e. £1440
- The Immigration Health Surcharge will increase to £1,035 per year i.e. £5175

Whilst it has not yet been confirmed when the new fee structure will be implemented, businesses who are considering employing migrant workers would be advised to apply for their Sponsor Licence and commence the sponsorship process sooner rather than later.

HR Solutions can advise on and assist you with the process of applying for a Sponsor Licence, and with the assignment of Certificates of Sponsorship to migrant workers to make Skilled Worker visa applications.

Please see below some examples of the work that we have completed recently.

 **Northampton**

Concluding Early Conciliation via ACAS to settle an age discrimination claim

 **London**

2 x Right to Work in the UK checks

 **Thames Valley**

Obtaining a Sponsor Licence under the Global Business Mobility (UK Expansion Worker) route

 **Peterborough**

Advice and support throughout a redundancy consultation process, including scripts for meetings and template letters

 **London**

Provision of maternity leave letters and advice on Enhanced Maternity Pay



How we can help?

If you require HR support, please contact us at HRsolutions@mha.co.uk to discuss how we could assist you.

We can provide support on an hourly, fixed-fee or retainer basis so there are a number of options available according to your needs; as you can see from the above examples, we can assist with a large project or a one-off piece of advice.



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