

# HR Performance

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## HR Performance: October 2010 Article for IAM manager

**manager**  
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James Turner is the Managing Director of HR Consultancy The Performance Group Limited and has over 25 years commercial HR experience working with National and International Companies in designing developmental; training; recruitment and HR strategic solutions. He works across more than a dozen different business sectors including sports, substance misuse, education, retail, manufacturing, catering, professional bodies & institutes, as well national and local government. Clients include every premiership football clubs community sports team as well as a diverse range of small and medium sized businesses through to billion pound turnover organisations. James will now be writing a regular feature for manager offering timely and practical advice about impending employment legislation and issues affecting all businesses.

April and October are the two key dates when new employment legislation takes effect. That's not to say that we don't get more of it outside of these dates, but generally it was intended that these two dates would make things easier for employers. Surprisingly, this October only sees a couple of changes, but one of these is a very big change!

**National Minimum Wage:** One update in October that most employers have gotten used to is the annual increase in the national minimum wage. From October 1st 2010 the main rate has increased from £5:80 per hour to £5:93 per hour, but whereas this main rate used to be applicable to workers aged 22 and over it has now been extended to include all workers aged 21 and over. The development rate – which is paid to workers aged 18 to 20 - increases from £4:83 per hour to £4:92 per hour. The rate for workers aged 16 and 17 goes up from £3:57 per hour to £3:64 per hour. Finally for the national minimum wage, and following recommendations from the Low Pay Commission, October introduces an apprentice minimum wage of £2:50 per hour. This rate applies to apprentices aged under 19 years of age and to apprentices aged over 19 if in the first year of their apprenticeship.

**Single Equality Act:** The big one for October 2010 is the consolidation of all existing discrimination laws into the new Equality Act 2010. Key areas of this new Act will define direct discrimination in terms of less favourable treatment because of protected characteristics rather than the discrimination terminology previously used. The key point about this is that it will widen the scope of discrimination based upon a perceived protected characteristic. Of particular note to many employers is that the Act will prohibit them from asking questions about health prior to offering a prospective employee a job. This is a huge piece of legislation that introduces a number of key reforms. We had hoped to bring you a bigger article regarding the changes for this edition but we are still waiting for further details to be clarified and will therefore be looking at the Equality Act in more depth in our next column.

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