

Retail Quarter

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Contract Changes – Loose Lips Cost!

Written contracts pervade all aspects of commercial life, regulating relationships with suppliers, customers and employees. Many contain clauses which state that changes can only be made if they are in writing and signed by both parties. However, a run of cases has confirmed that even with this type of clause, the parties can effectively vary contracts orally, by email or by conduct. It is, therefore, important to make staff, particularly those in purchasing, finance, HR and sales teams, aware that they need to be careful about what they say or send by email to ensure that that they do not change a fundamental principle of a contract by loose or ill-considered language.

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The Apprenticeship Levy – Don't Forget Pension Obligations

As with any new workers, employing new apprentices will create pension responsibilities if you have passed your pensions automatic enrolment "staging date".

In respect of a school leaver apprentice, there will be no obligation to automatically enrol them into a workplace pension plan as the minimum age criteria of 22 will not be met. However, your new apprentice will still have an entitlement to opt into a workplace pension plan with employer contributions, if their weekly earnings on assessment are more than £112. You will also need to inform any new apprentice of their rights with regards to joining your workplace pension plan.

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Drones - Regulatory and Operational Impact

Commercial use of drones is on the rise, with companies like Amazon (which recently filed a patent for a "flying warehouse") positioning themselves at the forefront of the field. The challenge is to capitalise on drones' commercial and technological potential, whilst navigating a complex and developing area of law.

UK regulation is comparatively flexible, though the Civil Aviation Authority implements some key restrictions (dependent on drone size and location) and additional technical complexities may arise due to Ofcom's requirement to avoid radio frequency interference. Businesses will also need to consider the privacy and data protection implications of their drone operations (particularly in densely populated areas) and insurance and liability exposure, in relation to damage to persons or property caused by drones.

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Gender Pay Gap Reporting Obligations

New gender pay gap reporting obligations are due to come into force on 6 April 2017. Large retailers with 250 or more employees will be required to publish information annually, showing any difference in pay (including bonuses) between their male and female employees. Retailers will have the option of including a narrative to explain any pay gaps or other disparities. The last date for any report is 4 April 2018.

Although there are no sanctions for non-compliance in the legislation, retailers should be aware of the risk of negative publicity and the threat to brand value, company reputation and investor relations if they fail to publish their gender pay gap reports.

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