

# Employment Matters - September 2021 - Independent Health

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DAC Beachcroft's Employment Matters focuses on some of the most interesting cases and events occurring within the Employment Law sector.

Case law developments this month include:

## **1. Government launch consultation on making COVID-19 and flu vaccination mandatory in the health and wider social care sector.**

On 9 September, the Government opened a six week public consultation on making vaccination a condition of deployment in the health and wider social care sector.

[Read more](#)

## **2. Entitlement to insured income protection: Importance of contractual wording.**

The EAT has upheld a tribunal decision requiring an employer to make payments directly to an employee in respect of annual increases to his long-term sickness income protection, despite the fact the insurer had ceased to cover such increases years earlier.

[Read more](#)

## **3. Disability discrimination: Indefinite pay protection not a reasonable adjustment.**

The EAT has upheld a tribunal decision that indefinite pay protection for a disabled employee who moved roles would not have been a reasonable adjustment.

[Read more](#)

## **4. Disability discrimination: Reasonable adjustments prevented application of absence management policy being discriminatory.**

The EAT has held that an employer who had redeployed a disabled employee with protected pay and supported her unsuccessful attempts to find alternative roles had not failed in its duty to make reasonable adjustments.

[Read more](#)

## **5. Disability discrimination: Employer had no knowledge of disability.**

The EAT has upheld a decision that an employee was not disabled or, if he was, that his employer had no knowledge of any disability.

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## **6. Unfair dismissal: Right of appeal in redundancy dismissals.**

The Court of Appeal has confirmed that the absence of an appeal does not of itself make a redundancy dismissal unfair, but that it is one of the many factors to be considered in determining fairness.

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