

## Employment Law Reform: Key Dates and Actions for Employers

Summary of key changes, effective dates and recommended actions

| Reform                                                                                                                                                                                                                                                                               | Effective               | Action                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------------------------------------|
| <b>2026 (already in force)</b>                                                                                                                                                                                                                                                       |                         |                                      |
| The repeal of the majority of the Trade Union Act 2016, including: <ul style="list-style-type: none"> <li>simplification of industrial action notices and industrial action ballot notices</li> <li>introducing protection against dismissal for taking industrial action</li> </ul> | <b>18 February 2026</b> |                                      |
| Statutory sick pay payable from day one and lower earnings limit removed                                                                                                                                                                                                             | <b>6 April 2026</b>     | Update payroll systems and contracts |
| Requirement to keep adequate records demonstrating compliance with statutory annual leave and pay obligations and retain those records for at least six years                                                                                                                        | <b>6 April 2026</b>     | Update payroll systems               |
| Day-one Paternity Leave and Unpaid Parental Leave                                                                                                                                                                                                                                    | <b>6 April 2026</b>     | Policy update                        |
| Clarification that workers who 'blow the whistle' on sexual harassment make a protected disclosure                                                                                                                                                                                   | <b>6 April 2026</b>     | Policy update                        |
| Bereaved Partners' Paternity Leave. Bereaved fathers may take up to 52 weeks of paternity leave on death of mother or primary adopter in the first year of the child's life                                                                                                          | <b>6 April 2026</b>     | Policy update                        |
| Collective redundancy protective award doubled (90 to 180 days)                                                                                                                                                                                                                      | <b>6 April 2026</b>     |                                      |

| Reform                                                                                                                                                                                                                                                                              | Effective              | Action                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Simplifying trade union recognition process                                                                                                                                                                                                                                         | <b>6 April 2026</b>    |                                                                                                                                                                                                                                                                                                             |
| Guidance on managing menopause                                                                                                                                                                                                                                                      | <b>6 April 2026</b>    | Employers with 250 or more employees can voluntarily create and publish Menopause Action Plans<br><br>(Mandatory in 2027)                                                                                                                                                                                   |
| Tribunal claim time limits extended (3 to 6 months)                                                                                                                                                                                                                                 | <b>1 October 2026</b>  |                                                                                                                                                                                                                                                                                                             |
| New right to work checks regime                                                                                                                                                                                                                                                     | <b>1 October 2026</b>  | Scope extended to include, in addition to employees and apprentices: <ul style="list-style-type: none"> <li>• workers</li> <li>• individual sub-contractors</li> <li>• individuals provided through online matching services</li> <li>• substitutes for an individual covered by the new regime.</li> </ul> |
| Further trade union reforms including:<br><br>Trade unions' right of access to workplaces<br>Trade union recognition and derecognition processes changes<br>New rights and protections for trade union representatives<br>Protection against detriment for taking industrial action | <b>30 October 2026</b> | Review employee engagement strategy                                                                                                                                                                                                                                                                         |

| Reform                                                                                                             | Effective              | Action                                                               |
|--------------------------------------------------------------------------------------------------------------------|------------------------|----------------------------------------------------------------------|
| Duty to take all reasonable steps to prevent sexual harassment<br><br>Liability for third-party harassment         | <b>30 October 2026</b> | Policy update<br>Risk assessments<br>Training<br>Supplier engagement |
| Statutory obligation to consult workers on tipping policies and review tipping policies at least every three years | <b>End of 2026</b>     | Policy update (and review every 3 years)                             |

| Reform                                                                                                                                                                                                                                                                                                                                                                                                                                               | Effective                                                     | Action                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2027</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                               |                                                                                                                                                                    |
| The duty to inform workers of their right to join a trade union                                                                                                                                                                                                                                                                                                                                                                                      | <b>Expected 1 January 2027</b>                                | The Government will provide a standardised statement for issue. Await update                                                                                       |
| <p>All employees with 6 months' continuous employment will qualify to make a claim of unfair dismissal.</p> <p>The cap on unfair dismissal compensatory awards will be removed.</p>                                                                                                                                                                                                                                                                  | <b>1 January 2027</b>                                         | <p>Review recruitment processes</p> <p>Review probationary periods and processes</p> <p>Manage unsuitable employees without delay</p> <p>Training for managers</p> |
| New ACAS Code of Practice with a focus on informal resolution of disputes with both employees and workers                                                                                                                                                                                                                                                                                                                                            | <b>Early 2027</b>                                             | Policy update                                                                                                                                                      |
| Fire and Rehire protections                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Date to be confirmed January 2027</b>                      | New automatic unfair dismissal protection effectively prohibiting fire and re-hire exercises to achieve variations in relation to pay, pension, hours or holiday   |
| <p>Pay gap reporting for employers with 250+ employees:</p> <p>New requirement to publish an annual action plan to:</p> <ul style="list-style-type: none"> <li>• reduce their gender pay gap</li> <li>• support employees experiencing menopause</li> </ul> <p>New requirement to identify providers of contract workers in gender pay gap reports</p> <p>New requirement for ethnicity and gender pay gap reporting and associated action plans</p> | <p><b>Date to be confirmed 2027</b></p> <p><b>Unknown</b></p> |                                                                                                                                                                    |

|                                                                                                                   |                                  |                                                                        |
|-------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------------------------------------------------|
| Enhanced dismissal protections for pregnant women and new mothers                                                 | <b>Date to be confirmed 2027</b> | Further Regulations awaited                                            |
| Collective redundancy – collective consultation thresholds to be revised to cover multi-site redundancy proposals | <b>Date to be confirmed 2027</b> |                                                                        |
| Flexible working                                                                                                  | <b>Autumn 2027</b>               | Policy update<br>Consultation response published but await Regulations |
| Day one right to bereavement leave including pregnancy loss                                                       | <b>Date to be confirmed 2027</b> | Policy update                                                          |
| Introduction of the right to guaranteed hours and the right to reasonable notice and short notice payments        | <b>Date to be confirmed 2027</b> | Review zero-hour contracts                                             |
| Prevention of use of NDAs in harassment and discrimination cases                                                  |                                  | Review settlement agreement                                            |
| Workplace surveillance technologies                                                                               |                                  | Ongoing consultation                                                   |

**The Employment Rights Act 2025 significantly changes the responsibilities and risks facing employers.**

Our Employment Law specialists can help you review your policies, assess compliance and prepare your organisation for the new employment law landscape.

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