EMPLOYMENT RIGHTS ACT 2025

WHAT EMPLOYERS NEED TO KNOW

The Employment Rights Act 2025 is slowly being introduced, with some key changes already in effect and further changes happening until October 2027. At Solutions for HR, we want to ensure that your business is equipped with the necessary knowledge and support needed to ensure that you can navigate these changes and remain compliant.

CHANGES ALREADY INTRODUCED IN 2026

01 STATUTORY SICK PAY (SSP)

From the 6th of April 2026, employees became entitled to SSP from the first qualifying day of illness. Previously, SSP was only payable after the 4th and subsequent qualifying days. Employees are entitled to either £123.25 per week, or 80% of their average weekly earnings, whichever is lower.

02 FAMILY LEAVE RIGHTS

Paternity leave is now a day one right, meaning employees no longer need a qualifying period of service before becoming eligible for leave.

However, eligibility for Statutory Paternity Pay remains unchanged. Employees must still have been employed continuously for at least 26 weeks by the 15th week before the expected due date as well as earn at least the lower earnings limit of National Insurance.

There is now also a statutory entitlement of bereaved partners paternity leave during the first year following the child's birth, in cases where a child's primary carer dies.

03 TRIBUNAL CLAIMS

From the 1st of October, the time limit for submitting most Employment Tribunal claims has been extended from three to six months, giving employees a longer period in which to commence legal proceedings. Certain claims are already subject to different statutory time limits and will continue to follow their own specific deadlines.

04 HARASSMENT PROTECTIONS

From the 30th of October 2026, employers are required to take all reasonable steps to prevent sexual harassment in the workplace. Employers may also be liable where workers are subjected to harassment by third parties, such as customers, clients or suppliers, if appropriate preventative measures have not been implemented.

Employers should review their policies, training programmes and reporting procedures to ensure compliance with the strengthened requirements.

UPCOMING CHANGES

01 UNFAIR DISMISSAL RIGHTS

From the 1st January 2027, the unfair dismissal qualifying period will be reduced from 2 years to 6 months. Employers should ensure that robust recruitment, onboarding and process management processes are in place.

02 FIRE AND REHIRE

There will be new restrictions on the practice commonly referred to as "fire and rehire", where employees are dismissed and then re-hired on less favourable conditions. In most circumstances, dismissing an employee for refusing to accept a contractual change will be deemed automatically unfair.

03 ZERO-HOURS WORKERS

The government plans to introduce a right for qualifying zero-hours and low-hours workers to be offered a contract that reflects the hours they regularly work. This aims to provide greater certainty of income and working patterns for workers who consistently exceed the hours set out in their contract.

It is expected to be based off a reference period looking at the hours worked over a reference period, looking at hours regularly worked over time, however workers will also have the option to decline the offer to remain on a more flexible arrangement.

04 RIGHT TO JOIN A TRADE UNION

Employers will be required to inform workers of their legal right to join a trade union. The new requirements are expected to apply to both new starters and existing workers, with employers needing to provide information and reminders in line with the new legislation.

NEED HELP PREPARING YOUR BUSINESS?

For more information on the Employment Rights Act 2025 and the changes which could affect your business, please contact Solutions for HR.

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