

## Employment Rights Act 2025

This table contains a summary of the provisions of the Employment Rights Act 2025, which became law on 18 December 2025. The Act strengthens existing rights, as well as introducing new rights and polices which reform employment law.

Details of many of the changes are still to be worked out by consultation and confirmed in secondary legislation.

Date	Provision	Points to note	Policies to update and review
April 2026	<ul style="list-style-type: none"> <li>Statutory Sick Pay (SSP) to be paid from day one of sickness</li> <li>Rate will be 80% of weekly earnings or the flat rate (whichever is lowest)</li> </ul>	<ul style="list-style-type: none"> <li>Currently employees need to earn above the lower earnings limit and SSP starts on day four.</li> </ul>	<ul style="list-style-type: none"> <li>Sick Leave and Sick Pay (do you offer contractual sick pay or do you need to amend your policy to remove reference to qualifying days)</li> </ul>
April 2026	<ul style="list-style-type: none"> <li>Parental leave will become a day one right</li> </ul>	<ul style="list-style-type: none"> <li>Employees no longer need one year of service to qualify</li> </ul>	<ul style="list-style-type: none"> <li>Family Friendly Policies – Parental Leave (remove requirement of at least one year’s service)</li> </ul>
April 2026	<ul style="list-style-type: none"> <li>Paternity leave will become a day one right</li> </ul>	<ul style="list-style-type: none"> <li>Employees no longer need to have more than 26 weeks service to be eligible.</li> </ul>	<ul style="list-style-type: none"> <li>Family Friendly Policies – Paternity Leave (remove reference to 26 weeks continuous service)</li> </ul>
April 2026	<ul style="list-style-type: none"> <li>Establishment of the Fair Work Agency, which is a new body with the powers to: <ul style="list-style-type: none"> <li>Enforce statutory payments</li> <li>Bring tribunal claims for individuals</li> <li>Provide legal support</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Employers must keep six years of annual leave records to prove compliance</li> <li>Failure to keep records will be a criminal offence with potentially unlimited fines</li> </ul>	<ul style="list-style-type: none"> <li>Disciplinary &amp; Capability Policy</li> <li>Recordkeeping</li> <li>Annual Leave policy</li> </ul>
October 2026	<ul style="list-style-type: none"> <li>Fire and rehire practices (dismissing and rehiring to force contract changes) becomes automatic unfair dismissal</li> </ul>	<ul style="list-style-type: none"> <li>The only exception is when a business is in serious financial trouble and no alternative exists</li> </ul>	<ul style="list-style-type: none"> <li>Terms and Conditions of Employment</li> </ul>
October 2026	<ul style="list-style-type: none"> <li>Time limit for tribunal claims extended to 6 months</li> </ul>		<ul style="list-style-type: none"> <li>Disciplinary &amp; Capability Policy</li> </ul>
October 2026	<ul style="list-style-type: none"> <li>Stronger duty to prevent sexual harassment</li> </ul>	<ul style="list-style-type: none"> <li>Employers must take <b>all reasonable</b> steps to prevent sexual harassment</li> <li>What amounts to “reasonable steps” will be confirmed in regulations</li> </ul>	<ul style="list-style-type: none"> <li>Dignity at Work Policy (Diocesan Policy)</li> <li>Risk Assessments</li> </ul>

<b>October 2026</b>	<ul style="list-style-type: none"> <li>Employers to be liable for Third-Party Harassment</li> </ul>	<ul style="list-style-type: none"> <li>Employers will be responsible for harassment by clients, customer, or member of the public</li> </ul>	<ul style="list-style-type: none"> <li>Dignity at Work Policy (Diocesan Policy)</li> </ul>
<b>January 2027</b>	<ul style="list-style-type: none"> <li>Unfair dismissal – earlier protection</li> </ul>	<ul style="list-style-type: none"> <li>Qualifying service will be reduced to six months</li> <li>Compensation limits will be removed</li> </ul>	<ul style="list-style-type: none"> <li>Terms and Conditions of Employment (suggest reduction of probation period from 6 to 4 months)</li> <li>Disciplinary &amp; Capability Policy</li> </ul>
<b>2027</b>	<ul style="list-style-type: none"> <li>Bereavement leave to become a day one right</li> </ul>	<ul style="list-style-type: none"> <li>At least one week of leave</li> <li>Includes miscarriages before 24 weeks</li> </ul>	<ul style="list-style-type: none"> <li>Family Friendly Policies</li> </ul>
<b>2027</b>	<ul style="list-style-type: none"> <li>Flexible working will become the default</li> </ul>	<ul style="list-style-type: none"> <li>Employers must allow flexible working unless they can show refusal is <b>reasonable</b></li> <li>The current “eight business reasons” still apply but must be justified more clearly</li> </ul>	<ul style="list-style-type: none"> <li>Flexible Working Policy</li> </ul>
<b>2027</b>	<ul style="list-style-type: none"> <li>Stronger protection for pregnant employees and new parents</li> </ul>	<ul style="list-style-type: none"> <li>Extends beyond enhanced protection against redundancy in April 2024</li> <li>Dismissal will only be allowed in specific, limited circumstances</li> </ul>	<ul style="list-style-type: none"> <li>Family Friendly Policies</li> </ul>
<b>2027</b>	<ul style="list-style-type: none"> <li>Rights for Zero Hours and Low Hours Workers</li> </ul>	<ul style="list-style-type: none"> <li>Workers will gain:             <ul style="list-style-type: none"> <li>The right to be offered a guaranteed hours contract based on their regular working pattern</li> <li>Reasonable notice of shifts</li> <li>Compensation for cancelled or changed shifts</li> <li>Ongoing information from employers about eligibility for guaranteed hours.</li> </ul> </li> <li>Rules will apply to all employer-set shifts (required or requested)</li> </ul>	<ul style="list-style-type: none"> <li>Terms and Conditions of Employment</li> </ul>