



Employment Rights Act factsheet

While some of the new Employment Rights Act laws are being enforced in April 2026, there are still lots of changes to happen throughout 2026 and into 2027.

Here at **Holgate HR**, we've organised the implementation of the new laws via different milestones to help you know when changes need to be made.

Here are the different Employment Rights Act milestones that you need to be aware of

Milestone 1: Laws to be enforced in April 2026

New law	What you need to do
Extended collective redundancy protective awards (from 90 days' to 180 days' pay)	Plan restructures early. Consult properly. Keep written records. Take advice before large-scale redundancies
Day 1 Paternity Leave & Unpaid Parental Leave (removal of qualifying periods)	Update family leave policies. Brief managers. Prepare for earlier absences from new starters.
Bereaved Partner's Paternity Leave - up to 52 weeks unpaid leave	Update leave policies. Ensure managers handle requests consistently and compassionately.
Changes to Statutory Sick Pay (SSP from Day 1, no lower earnings limit)	Update payroll systems. Review sickness processes. Strengthen attendance management to reduce absence costs.
Strengthened whistleblowing protections (including sexual harassment)	Update whistleblowing policy. Add clear reporting routes. Train managers to handle concerns early.
Simplified trade union recognition process and threshold for statutory union recognition	Ensure management understands employee rights. Keep communication open to prevent disputes.
Establishment of the Fair Work Agency (FWA) to help enforce workers' rights	Audit compliance (holiday pay, sick pay, contracts, national minimum wage). Ensure records are accurate and accessible. It is not known when FWA powers will come into force.
Records of annual leave and holiday pay	Records must be kept for 6 years. Employers can be penalised by Fair Work Agency

Impact: Documentation updates, manager training, absence planning and compliance audits are essential.

Milestone 2: Prepare for 6-month dismissal rights ready for 1st July 2026

This law is being enforced in January 2027, which means that anyone you employ from 1st July 2026 has the right to claim unfair dismissal after just 6 months of service.

New law	What you need to do
Unfair dismissal qualifying period reducing to 6 months (effective 1st January 2027)	Strengthen recruitment decisions. Improve onboarding structure. Use probation periods effectively. Ensure dismissal processes are fair and documented from day one

Impact: Poor hiring or rushed dismissals now carry much higher financial risk.

Milestone 3: Laws to be enforced in October 2026

New law	What you need to do
Duty to prevent sexual harassment (including third-party harassment)	Update harassment policy. Provide training. Set clear behaviour expectations. Create simple reporting routes. Duty is for employers to take all reasonable steps to prevent sexual harassment.
Obligation to inform employees of their right to join a union.	Update handbook. Communicate rights clearly and consistently.
Stronger trade union access rights	Prepare for union engagement as unions can ask for access to the workplace. Train managers to handle discussions if applicable.
Trade Union access to workplace rights	Trade unions can ask employers for access to the workplace to speak to workers and recruit members.
Tighter tipping rules	Review payroll and gratuity processes. Ensure consultation, transparency and fairness. Update mandatory policy every 3 years
Employment Tribunal time limits	The time to bring a claim will be increased from 3 to 6 months. Ensure process is in place for preserving (and retaining) documents.

Impact: Increased duties around fairness, transparency and workplace safety.

Milestone 4: Laws to be enforced in 2027

Major ERA changes expected in 2027

New law	What you need to do
Unfair dismissal qualifying period reduced to 6 months	This is from 1st January 2027. Ensure all dismissals follow fair process. Keep detailed records
Potential uncapped compensatory awards	Reduce risk exposure by reviewing dismissal processes as errors in an employee's dismissal could be costly. From 1 st January 2027.
Enhanced protections for pregnant women & new mothers	Further protection from dismissal, preventing dismissal up to 6 months after a return to work (with exceptions). Update maternity policies. Train managers on discrimination risks.
Flexible working changes	Need to consult with the employee and employers must be reasonable when refusing a request. Review flexible working processes. Ensure consistent decision-making.
Statutory family bereavement leave (including pregnancy loss)	Create a clear and compassionate leave policy. Apply decisions consistently.
Ending exploitative zero-hours practices (guaranteed hours & shift compensation)	Track working patterns. Review contracts. Improve rota planning.
Regulation of umbrella companies	Audit contractor providers. Move to compliant partners early.
Fire and rehire becoming automatically unfair (in most cases)	Avoid using dismissal to force contractual changes. Consult early. Seek agreement. Take HR advice before changing terms. Plan restructures well in advance.

Impact: Significant changes to dismissal processes, workforce planning and employment models.

We're here to help

If you need a hand with anything, please get in touch for a confidential chat and we'll complete a free and short impact assessment with you to determine what laws will affect your business and what you need to do to stay legally compliant and mitigate the additional employment costs.

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