HR Partner
Human Resources for Business.

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 HR Partner, 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 (up to 6 months' pay)	Plan restructures early. Consult properly. Keep written records. Take advice before large-scale redundancies
Day 1 Paternity Leave & Unpaid Parental Leave	Update family leave policies. Brief managers. Prepare for earlier absenses from new starters.
Bereaved Partner's Paternity 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	Ensure management understands employee rights. Keep communication open to prevent disputes.
Establishment of the Fair Work Agency	Audit compliance (holiday pay, sick pay, contracts). Ensure records are accurate and accessible.
Menopause & gender equality guidance	Begin gathering pay and equality data. Identify areas needing phased improvements

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 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.
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. Train managers to handle discussions if applicable.
Fair Pay Agreement body (Adult Social Care)	Monitor sector guidance. Prepare for potential pay structure changes if applicable.
Tighter tipping rules	Review payroll and gratuity processes. Ensure transparency and fairness.
Further recognition process reforms	Keep policies aligned with updated union procedures. Avoid reactive decision-making

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	Ensure all dismissals follow fair process. Keep detailed records
Potential uncapped compensatory awards	Reduce risl exposure by improving compliance and documentation
Enhanced protections for pregnant women & new mothers	Update maternity policies. Train managers on discrimination risks.
Flexible working changes	Review flexible working processes. Ensure consistent decision-making.
Statutory 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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