

Employment Rights Act 2025

To help you ensure you're compliant with the new legislation, we have put together a **'To Do' list** of the practical steps needed to reflect the main changes. The dates are correct at the time of writing, but may be subject to change due to ongoing consultations.

The list is non-exhaustive. Please seek specific advice on how the changes will affect your particular business (for example changes to tipping and trade union activity).

Get in touch



Jayne Holliday
Legal Director
E: jayne.holliday@higgslp.co.uk
T: 01384 327 176



Katherine Cooke
Senior Associate
E: katherine.cooke@higgslp.co.uk
T: 01384 327 143



Debra Cottam
Principal Associate
E: debra.cottam@higgslp.co.uk
T: 01384 327 170



Joanne Walker
Principal Associate
E: joanne.walker@higgslp.co.uk
T: 01384 327 175



Nafeesa Naseem
Trainee Solicitor
E: nafeesa.naseem@higgslp.co.uk
T: 01384 327 203

To do	Date	Change
Update Family Leave Policies.	Apr 2026	Day 1 paternity leave and day 1 unpaid parental leave introduced. Bereaved Partners Paternity Leave introduced.
Update Sickness Policy and/or employment contract precedents.	Apr 2026	SSP payable from 1st day of illness and lower earnings limit removed.
Update Whistleblowing Policy.	Apr 2026	Whistleblowing is extended to cover disclosures about sexual harassment.
Gender pay gap and menopause action plans.	April 2026 onwards	Employers with more than 250 employees will need to create action plans around menopause and gender pay gaps. These will be voluntary from April 2026. They will become mandatory sometime in 2027.
Review holiday pay calculations for employees with irregular working hours, or payments of commission and bonuses.	Apr 2026	Introduction of Fair Work Agency to enforce NMW, holiday pay, SSP and unpaid ET awards.
Update data protection and retention policies.	Oct 2026	Employment Tribunal limitation periods extended to six months. ACAS Early Conciliation period a maximum of 12 weeks.
Update contract precedents.	Oct 2026	Minimum information provided in contract to change. Must inform of right to join trade union. Update sickness entitlement (as above).
Update Equal Opportunities Policy/Sexual Harassment Policies and provide staff training. Undertake risk assessments.	Oct 2026	Introducing obligation on employers not to permit harassment of their employees by third parties. Employees can now sue directly for third-party harassment if their employer fails to take reasonable steps to prevent it.

To do	Date	Change
<p>Amend contract precedents and offer letters.</p> <p>Review probation structure.</p> <p>Train management on effective performance management, disciplinary and grievance processes.</p>	<p>Jan 2027</p>	<p>Protection from unfair dismissal will become a right after 6 months of employment. Currently, someone must have worked for their employer for 2 years before claiming unfair dismissal.</p>
<p>Update or introduce Gender Pay Gap and Menopause policies.</p>	<p>2027</p>	<p>Employers with more than 250 employees must broaden existing Gender Pay Gap reporting to detail evidence based actions to support employees going through menopause.</p>
<p>Review and amend Maternity and any Performance Management Policy.</p>	<p>2027</p>	<p>The Act will strengthen protections against dismissal for pregnant workers and those returning from maternity leave.</p>
<p>Amend redundancy policies and practices.</p>	<p>2027</p>	<p>Changes to collective consultation threshold.</p>
<p>Amend flexible working policy.</p>	<p>2027</p>	<p>Employees to request flexible work without needing a specific reason.</p> <p>If an employer rejects a flexible working request because of a genuine business reason, they will have to:</p> <ul style="list-style-type: none"> • state the reasons • explain why they believe their refusal is reasonable.
<p>Amend Zero Hours Contract precedents.</p>	<p>2027</p>	<p>Workers on zero-hours contracts will get the right to guaranteed working hours, if they want them.</p>
<p>Amend or introduce policy on Bereavement Leave.</p>	<p>2027</p>	<p>There will be a new right to statutory bereavement leave. It's not known yet whether this will be paid or unpaid leave.</p>
<p>Compensation for cancelled shifts.</p>	<p>2027</p>	<p>Workers will have the right to be paid if a shift is cancelled, moved to another date, or cut short by an employer.</p>

