

EMPLOYMENT RIGHTS ACT 2025

WHAT'S CHANGING IN 2026

Stay ahead of the changes! In December 2025, the **Employment Rights Act 2025** became law. Our quick guide highlights all the key updates affecting workers and employers this year – from pay and leave to workplace protections.

2026



Relevant to unionised environments only
Changes to industrial action ballots – notice, time limits and required information are all affected.
(Ask for specifics if you operate in a unionised environment.)



DID YOU KNOW?

A major overhaul

The Employment Rights Act 2025 represents a major overhaul of UK employment law.



Paternity leave becomes a day one right and can now be taken after a period of shared parental leave.
(There is no change to paternity pay eligibility.)



Parental leave also becomes a day one right.



SSP Paid from day one
Statutory Sick Pay (SSP) will be payable from the first day of sickness or absence. The lower earnings limit will be removed, extending entitlement to more employees. SSP will be paid at the lower of the statutory rate or 80% of an employee's normal weekly earnings.



Fair Work Agency to launch 7th April

A new enforcement body with responsibility for SSP, minimum wage, holiday pay, agency worker rights and modern slavery – with stronger powers than existing agencies.

180 days

Protective award doubled

The maximum protective award for failure to collectively consult will double to 180 days, increasing the sanctions on employers who do not consult correctly.



Sexual harassment added to whistleblowing law

Complaints of sexual harassment will be protected under whistleblowing law, providing stronger legal protection for employees who speak up.

Further changes to industrial action and trade union law will impact some employers. We can advise on what this means for your business.

[Contact us](#)



Right to join a trade union

Terms and conditions must explicitly state workers' right to join a trade union. The required wording will be set out in due course.



New adult social care negotiating body

An adult social care negotiating body will be established to oversee pay and conditions in the sector.

Contact us for further details if this affects your business.



Stronger duty to prevent sexual harassment

Employers must take all reasonable steps to prevent sexual harassment. An updated Code of Practice will clarify what this means in practice.



DID YOU KNOW?

Unfair dismissal is the most common tribunal claim

Unfair dismissal is the most common employment tribunal complaint, accounting for 23.7% of new cases between July and September 2025.

3 → 6 months

Longer tribunal claim time limits

Most employment tribunal claim time limits will increase from three months to six months.



Liability for third-party harassment

Employers will be liable for harassment by third parties unless they can demonstrate that all reasonable steps were taken to prevent it. This duty applies to all types of harassment, not just sexual harassment.



Tipping law reforms

Not sure if this applies to you? **Let's talk**



Further trade union changes will impact some employers. We can advise on what this means for your business.

[Contact us](#)

Changes that may or will require consultation soon.

Keeping up with employment law doesn't have to be another thing on your to-do list.

Keeping HR Simple's **Annual HR Update Service** keeps you informed of key changes – with clear policy and contract updates **sent straight to your inbox**, so you can stay compliant, all year round.

[See what's included](#)