EMPLOYMENT RIGHTS BILL: TRACKER

Proposed timetable of changes taking place between 2025-2027

ADDLESHAW GODDARD

DATE	PROPOSAL	DETAILS AND AMENDMENTS	CONSULTATION	KEY
AUTUMN 2025 (CONSULTATIONS)				
Summer / Autumn 2025 • Reinstating the **School Support Staff Negotiating Body:** Consultation here – *closed 18 July 2025* • **Fair Pay Agreement** for the Adult Social Care sector: Consultation published here – *closes 16 January 2026* • Day 1 right to **unfair dismissal** (with probationary periods for new hires)				
Autumn 2025 • **Ending fire and re-hire** • **Zero hours contracts** – right to a guaranteed hours contract reflecting regular hours over a reference period – with compensation for cancelled / curtailed shifts • Regulation of **umbrella companies** • Rights of **pregnant workers:** Consultation published here – *closes 15 January 2026* • Day 1 right to **new statutory bereavement leave** going beyond existing parental bereavement leave: Consultation published here – *closes 15 January 2026* • **Trade union measures:** - Electronic and workplace **balloting:** Consultation here and draft Code of Practice here – *closes 28 January 2026* - Simplifying trade union **recognition** processes - Duty to inform workers of their **right to join** a trade union: Consultation published here – *closes 18 December 2025* - Right of **access:** Consultation published here – *closes 18 December 2025*				
AUTUMN 2025 (IMPLEMENTATION)				
DATE	PROPOSAL	DETAILS AND AMENDMENTS	CONSULTATION	
On the day of Royal Assent	Repeal the Strikes (Minimum Service Levels) Act 2023	The Strikes (Minimum Service Levels) Act 2023 will be repealed, together with sections 234B to 234G of the Trade Union and Labour Relations (Consolidation) Act 1992 (**TULRCA**). These provisions enabled the Secretary of State to set minimum service levels for strikes in "relevant services" in the fields of health, transport, education, fire and rescue, border control, and nuclear decommissioning and radioactive waste management services.	N/A	
Two months after Royal Assent	Repeal the majority of the Trade Union Act 2016 (and bring in a 12-month mandate and	The Employment Rights Bill (**Bill**) will repeal the vast majority of the Trade Union Act 2016 (with some provisions to be repealed via commencement order at a later date), resulting in the following changes: (1) **Political Fund Contributions**: New union members will automatically contribute to political funds unless they opt out. The current 10-year balloting requirement will be replaced by a requirement for trade unions	Electronic and workplace balloting **c**onsultation here	

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	a 10-day notice period for industrial action)	to send a reminder notice every 10 years to members informing them of their right to opt-out of the political fund. See the Factsheet ***Political Funds Review Ballots***. (2) **Public sector unions** will no longer need to pay for administering check-off arrangements, nor publish information on union officials' facility time. The power to cap facility time will also be removed. (3) **Industrial action ballots (information)**: Trade unions will no longer need to meet additional reporting requirements for industrial action, such as providing detailed information on voting papers or annual returns (see **separate entry** below). (4) **Industrial action ballots (thresholds)**: a. Unions will only require a simple majority of voting members for lawful industrial action (rather than a 50% turnout threshold). ***NB: To be brought in by regulations on a date to be appointed, seeking to align with the introduction of e-balloting.*** b. Removal of the 40% support threshold for strike ballots in the six key public services (including health and transport). (5) **Industrial action (notice period and length of mandate)**: Notice of industrial action required to be given to employers will reduce from 14 to 10 days. Following consultation, the mandate for industrial action will be extended from 6 to 12 months (without the possibility of extension). (6) **Picketing Supervision**: Requirements for unions to appoint picketing supervisors will be abolished. (7) **Electronic Balloting**: The requirement to consult and review electronic balloting will be removed. Following consultation with stakeholders, the Government plans to introduce secure electronic balloting. (8) **Certification Officer Powers.** Investigatory powers introduced by the 2016 Act (e.g., investigating complaints, requiring documents, imposing penalties) will be removed. The Certification Officer will retain powers to investigate financial affairs from pre-2016 legislation. (9) **Levy Payments**: The requirement for unions and employers' associations to pay a levy to the Certification Officer will be abolished. See the Factsheet ***Repeal of the Trade Union Act 2016***. *NB: Currently, the Bill is tied up in Parliamentary 'ping-pong,' as the two houses of Parliament try to agree the final details of the Bill. On 17 November 2025, the House of Lords proposed amendments to the Bill to: (a) provide for union members to have to make a choice, on a specific form, about whether to contribute to political funds, which*	and draft Code of Practice here – *closes 28 January 2026*	

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		could be changed at any time (with any changes processed within one month); and (b) reinstate the 50% turnout threshold for industrial action. The Bill will return to the House of Commons for consideration.		
Two months after Royal Assent	Simplify industrial action notices and industrial action ballot notices	To simplify the requirements for ballot and industrial action notices, the Bill will amend the law so that unions will only have to ask their members on the ballot paper which type of industrial action they want to take part in (whether that is strike action or action short of a strike). Also, unions will only have to specify the following information in the relevant notices to the employer: • **Section 226A (Notice of Ballot)** (1) List of categories of employees being balloted; (2) List of categories to which relevant employees belong; and (3) List of workplaces in which the employees work • **Section 234A (Notice of Industrial Action)** (1) List of workplaces in which the employees work (2) Total number of employees concerned (3) Total number of affected employees (4) Number of affected employees who work at each listed workplace (5) An explanation of these figures See the Factsheet ***Simplifying Industrial Action and Ballot Notices***.	None before these changes take effect. However, in Autumn 2025, the Government will consult on a package of trade union measures including, amongst other things, electronic balloting and workplace balloting.	
Two months after Royal Assent	Protection against dismissal for taking industrial action	The Bill removes the 12-week cap that an employee is protected for when taking industrial action, where the reason for the dismissal is taking protected industrial action. Employees will now be protected regardless of the length of the strike action against unfair dismissal when taking protected industrial action. Should an employer wish to dismiss an employee during long-running protected industrial action, the dismissal would have to be for reasons other than participating in industrial action. See the Factsheet ***Protection for taking Industrial Action***.	N/A	
WINTER 2026 CONSULTATIONS				
Winter / Early 2026 • **Alternative threshold for collective redundancy consultation** determined by number of employees across the business as well as in one workplace • **Flexible working** – reasonableness of refusal of requests and prescribed grounds • Requirement for employers to consult workers / recognised trade union when reviewing **tipping policies** • **Trade union measures**				

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	- **Protection against detriments for taking industrial action** - Updating **blacklisting** regulations to protect a wider range of people			
APRIL 2026 IMPLEMENTATION				
April 2026	Maximum period of protective award to double from 90 to 180 days	The measure to double the maximum period of the protective award will mean that whenever an employer fails to fulfil their collective redundancy obligations and a complaint is made, an Employment Tribunal will be able to award up to 180 days' pay against the employer instead of the current maximum of 90 days. See the Factsheet ***Collective Redundancy***.	Previous consultation concluded at the end of 2024.	
April 2026	Day 1 right to paternity leave and to unpaid parental leave	The Bill will make paternity leave a day one right by removing the current qualifying period of 26 weeks for fathers. Measures will also be introduced to make unpaid parental leave a day one right, instead of parents only being eligible if they have been with their employer for more than one year. See the Factsheet ***Bereavement, Paternity and Unpaid Parental Leave***.	N/A	
April 2026	Whistleblowing protections for those reporting sexual harassment	Sexual harassment will be added to the list of relevant failures under s.43B of the Employment Rights Act 1996 (**ERA**) that can form the subject-matter of a protected disclosure. The change means that workers will not need to identify an existing legal obligation, criminal offence or breach of health and safety in order to make a qualifying disclosure about sexual harassment, provided that they have complied with the other requirements in the legislation, such as holding a reasonable belief that the issue is in the public interest. See the Factsheet ***Strengthening Protections for Whistleblowers***.	N/A	
April 2026	The Fair Work Agency will bring together existing state enforcement functions including: • Regulations for employment agencies and employment businesses	The Fair Work Agency (**FWA**) will be established in April 2026, bringing together existing enforcement bodies and taking on the enforcement of other employment rights, such as holiday pay and statutory sick pay. The Bill abolishes the Gangmasters and Labour Abuse Authority and the Director of Labour Market Enforcement, although their work will carry on under the FWA. The FWA's remit will include: • **Powers to inspect workplaces** and require employers to produce documents evidencing compliance with employment law, based on powers of the existing bodies. Employers will be required to keep records of their compliance with the WTR on annual leave and pay for six years, with failure punishable as an offence with a fine. • A **civil penalty regime** based on the NMW. Where employers have underpaid workers, enforcement officers will be able to issue Notices of Underpayment requiring payment of what is due and a penalty to government.	N/A	

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	• Unpaid Employment Tribunal (**ET**) award penalty scheme • Enforcement of the National Minimum Wage Act 1998 (**NMW**) • Enforcement of Working Time Regulations 1998 (**WTR**) (including holiday pay) • Statutory Sick Pay (**SSP**) • Licensing regime for businesses operating as 'gangmasters' in certain sectors.	• The FWA will be able to issue notices of underpayment of non-payment of <u>any</u> statutory payment (e.g. SSP, holiday pay or NMW) requiring payment of the amount within 28 days. Underpayments may go back 6 years from the date of giving notice and can relate to sums due before the Bill comes into force. • Notices may also impose a penalty up to a maximum of £20,000 which may be discounted by 50% if sums due are paid within 14 days of the notice, with courts able to enforce a failure to comply with a notice. • A **civil proceedings power** to bring proceedings in the ET on a worker's behalf, and to offer legal advice and assistance or representation where someone is/may be party to civil legal cases related to employment or trade union law. • **Cost recovery** - the FWA will be able to require the employer to pay a charge so that the FWA can recover the cost of taking enforcement action against non-compliant employers (to be set out in regulations). It remains to be seen how this will work in practice or how often the powers will be used or funded. We await further details. • An **enforcement regime** in respect of labour market criminal offences involving voluntary Labour Market Enforcement Undertakings and compulsory Labour Market Enforcement Orders (breach of which is an offence that can result in fines or imprisonment). The Bill also requires the Secretary of State to **create an advisory board** with a social partnership model: equal representation from businesses, trade unions, and independent experts, which will provide advice to the FWA. The Government's Factsheet ***Fair Work Agency*** notes that creating the FWA is complex and requires primary legislation. The Bill is the first phase of laying the foundation for the creation of the FWA, with implementation taking place in phases following Royal Assent. The Government has committed to giving the FWA the tools and resources it needs to do its job effectively, with details around implementation and funding to be provided in due course.		
April 2026	Day 1 right to statutory sick pay (no 3-day waiting period) and removal of the lower earnings limit	The Government will make Statutory Sick Pay (**SSP**) a day one right for all employees by removing the current three-day waiting period and removing the requirement to earn at or above the Lower Earnings Limit (**LEL**). Following consultation, the Government amended the Bill so that employees on low wages who are unable to work due to sickness will **either** receive 80% of their normal weekly earnings **or** the current rate of SSP (£118.75 from April 2025), whichever is lower. Removing the LEL will mean that up to 1.3 million of the lowest-paid employees will become entitled to SSP. The cost of removing SSP waiting days and the LEL (with a percentage rate of 80%) to businesses is an additional £450 million annually, about £15 more per employee (impact assessment here). See the Factsheet ***Statutory Sick Pay***.	Previous consultation concluded at the end of 2024.	

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April 2026	Simplify the statutory union recognition process	The Employment Rights Bill makes significant changes to the trade union recognition process to simplify and improve fairness. Recognising a non-independent union will no longer prevent an independent union from applying for recognition. Other changes include: 1. **Simpler ballot threshold**: Unions will no longer need 40% workforce support in a recognition ballot, but just a simple majority of those voting. New recruits added to a bargaining unit after a recognition application is submitted will not count towards the process nor be allowed to vote in the ballot. 2. **Membership threshold for applications**: Unions applying for recognition will only need to show 10% membership of the bargaining unit, instead of proving they are likely to win a ballot. Ministers will be able to adjust the 10% membership requirement through regulations, within a range of 2% to 10%. 3. **Access and unfair practices:** Rules on access and unfair practices during recognition and derecognition ballots will apply from the moment the Central Arbitration Committee (**CAC**) accepts a union's application. 4. **Timetable for access negotiations**: Employers and unions will have 20 working days to agree on access terms. If no agreement is reached, the CAC will have 10 working days to set a reasonable access agreement. 5. **Unfair practice complaints**: Complaints about unfair practices can be submitted to the CAC within 5 working days after a recognition ballot closes and the CAC will only need to confirm that an unfair practice occurred, without needing to assess its impact. The changes aim to make the recognition process fairer, reduce employer interference, and ensure unions can effectively represent workers. See the Factsheet ***Simplifying the Trade Union Recognition Process***.	The government intends to consult on the proposals for simplification of trade union recognition in the autumn of 2025 with a view to provisions being brought into force in April 2026.	
April 2026	Electronic and workplace balloting	The Government is committed to introducing the use of modern and secure electronic balloting for trade union statutory ballots. By repealing the Trade Union Act 2016, the Bill removes the requirement to consult and publish a review on electronic balloting. Once the Bill has received Royal Assent, the Government will consult on electronic and workplace balloting in the autumn of 2025 and launch a working group with stakeholders including cyber security experts, trade unions and business representatives, with a view to subsequently rolling out electronic balloting in the following months. See the Factsheet ***Trade Unions in the Employment Rights Bill***.	**Autumn 2025** Consultation published here on 19 November 2025 alongside draft Code of Practice – ***closes 28 January 2026.***	

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OCTOBER 2026 IMPLEMENTATION				
October 2026	Ban on fire and rehire for restricted variations (e.g. reduction in pay or holiday, changes to hours) except where no alternative to remain viable.	The Bill will **end 'Fire and Rehire' and 'Fire and Replace'** save in very limited circumstances where an employer has no alternative to remain a viable business. An amendment ensures that failure to agree to a variation of contract does not apply to employees who have not yet started work. In July 2025, in response to concerns that the new provisions could apply to relocation situations (requiring employers to have to budget for significant automatic unfair dismissal costs if not all employees agreed to the change of place of work) the Government amended the Bill so that: • The ban will only apply to 'restricted variations', including reductions in an employee's pay or holidays, changes to hours, pension and other changes defined in regulations (which may include benefits), but not location or duties. The ban will also include any dismissals relating to an attempt to impose a new flexibility clause covering any of these changes. • Where an employee is dismissed for failing to agree to a variation of their contract that is not a 'restricted variation', the dismissal will no longer be automatically unfair and the matters that must be considered in determining whether the dismissal is fair or unfair are set out in a new provision, which requires tribunals to take account of the reason for the variation, any individual or collective consultation and anything the employee was offered in return for the change. Dismissals will be automatically unfair if the reason for dismissal is to replace an employee with someone who is not employed (e.g. self-employed independent contractors, agency workers or any other individuals who are not employed by the employer), if any such replacement is going to do substantially the same work. This is provided that the 'financial difficulty' exemption does not apply and the employer could not reasonably have avoided the need to replace the employee. See the Factsheet ***Fire and Re-hire***.	**Autumn 2025**	
October 2026	Amend the Procurement Act 2023 to protect transferring workers on outsourcing contracts and introduce a two-tier workforce code of practice for outsourced workers	Previously, the *Code of Practice on Workforce Matters in Public Sector Service Contracts* (known as the "***two-tier Code***") sought to ensure fair and equitable employment conditions between public sector staff who had been transferred under TUPE and private sector employees working on the same outsourced public sector service contracts. However, this was withdrawn in 2010 and replaced with less stringent *Principles of Good Employment Practice* which could be applied on a voluntary basis. The Bill proposes to **reinstate the "two-tier Code"** to address disparities in terms and conditions and ensure fair employment conditions for private sector employees working on outsourced public sector contracts, aligning them with those transferred under TUPE from the public sector. In particular: • The Government will set regulations (which may include model contract terms and guidelines for their application), specifying provisions for outsourcing contracts to ensure private sector workers are treated no		

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		less favourably than their TUPE-transferred counterparts. Contracting authorities must take "all reasonable steps" to include these provisions in relevant contracts. • A new statutory code of practice will enhance the legal weight of these measures compared to the previous code (which was non-statutory for Government departments) and allow the government the opportunity to align with the development of the UK's international trade obligations and reflect domestic employment laws which have evolved since 2010. See the Government's Factsheet ***Public Sector Outsourcing (Protection of Workers)***.		
October 2026	Employers required to consult workers/any recognised trade union about the allocation of tips and gratuities	The Bill will strengthen the law on tipping to make it mandatory for employers when developing tipping policies to consult with workers at the place of business. Currently, consultation should take place with recognised trade union or other elected representatives where possible, unless, if they are absent, directly with the workers affected. Employers will be required to review their policy on tipping at least once every three years and to make an anonymised summary of the views expressed in the consultation available to all workers of the employer at the place of business where the policy applies. Measures will be enforced via the ET system, with employers who fail to consult properly with their workers liable to compensate workers by up to £5,000 for financial loss sustained by the worker that is attributable to the employer's failure. The Government will consult in Winter/Early 2026, so some of these measures may be adjusted following the outcome of that consultation. See the Government's Factsheet ***Tips and Gratuities*** for more detail.	**Winter / Early 2026** Consultation with stakeholders on updating the existing statutory Tipping Code of Practice.	
October 2026	New duty to inform new employees of their right to join a trade union in a written statement (and all staff on a regular basis)	A new duty on employers to inform workers of their right to join a trade union in a written statement alongside the statement of particulars of employment that they are already required to produce for new workers under section 1 of the Employment Rights Act 1996 and to inform them of their right to join a trade union on a regular basis after that. See the Factsheet ***Right to Statement of Trade Union Rights.*** Specific details of this requirement, including the form, the frequency and manner of communication, will be set out in secondary legislation, following consultation. The prescribed information may include that the worker has rights conferred by Part 3 of TULRCA. These are right associated with being, or potentially being, a trade union member. The Government will be adopting the existing enforcement mechanism that applies to a failure to provide the written statement of particulars of employment, set out in Section 38 of the Employment Act 2002.	**Autumn 2025** Consultation published here on 23 October 2025 – ***closes 18 December 2025***	
October 2026	New rights for trade unions to access the workplace for	A new right for trade unions with a certificate of independence issued by the Certification Officer to make applications to physically **access the workplace** or communicate with workers 'digitally' or via other means for the purposes of meeting, representing, recruiting or organising workers and to facilitate collective bargaining.	**Autumn 2025** Consultation published here on 23 October 2025	

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	recruitment and organising purposes	If an employer refuses such a request, the union can apply to the CAC to determine whether access can be granted. The changes will provide an opportunity for unrecognised unions to recruit and organise within a workplace with the aim of gaining recognition. See the Factsheet ***Right To Statement of Trade Union Rights***.	– ***closes 18 December 2025***	
October 2026	Requirement for employers to take **all** reasonable steps to prevent sexual harassment at work	On 26 October 2024, the Worker Protection (Amendment to the Equality Act 2010) Act 2023 introduced a legal duty on employers to take "reasonable steps" to prevent sexual harassment of their employees. The Bill will amend the duty to require employers to take "**all** reasonable steps" to prevent sexual harassment of their employees. What constitutes "all reasonable steps" will depend on the specific circumstances of the employer, such as their size, sector, and other relevant facts. The amended duty will mirror the existing concept of the "all reasonable steps" defence in section 109(4) of the Equality Act 2010, so that the threshold in the preventative duty is consistent with the existing statutory defence against an employer's vicarious liability for the actions of their employees, which can be used in sexual harassment claims. Removing the discrepancy seeks to ensure that there's no confusion or perception of a lower threshold for sexual harassment. See the Factsheet ***Employers to take all reasonable steps to prevent sexual harassment.***	N/A	
October 2026	Reintroduce employer liability for third party harassment for all relevant protected characteristics	The Bill will introduce **protection from third-party harassment** for all three forms of harassment in section 26 of the Equality Act 2010 (sexual harassment, treating someone less favourably because he or she has either submitted to or rejected sexual harassment or harassment related to sex or gender reassignment). All protected characteristics in scope of the existing harassment provisions are in scope of this clause: age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation. An employer will be held vicariously liable where an employee is harassed by a third party in the course of their employment and it is shown that the employer failed to take all reasonable steps to prevent the third party from harassing them. Individuals will be able to take a claim against their employer to an Employment Tribunal, and the Equality and Human Rights Commission may also use its enforcement powers to take action. Employment Tribunals will take into account that the steps an employer can reasonably take in respect of the actions of third parties in their workplace are more limited than the steps they can take in respect of their employees. Employers will need to do what is reasonable; for example, consider the nature of any contact with third parties, including the type of third party, frequency, and environment. See the Factsheet ***Harassment by third parties***.	N/A	
October 2026	Sufficient access to facilities and strengthened right to facility time off for trade union reps and	The Government wants to ensure that union workplace representatives can take sufficient paid facility time with sufficient access to facilities to enable them to fulfil their union representative duties. The Bill will:	N/A	

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	statutory rights for trade union equality reps	1. **Strengthen the existing right to reasonable paid facility time** for union representatives by establishing a presumption that the employee's view on what constitutes "reasonable" paid time off for union duties is correct (with regard to an ACAS Code of Practice), unless the employer can prove otherwise in a tribunal; 2. Require employers to provide union representatives, where permitted to take time off as required, with **access to facilities** (e.g. office and meeting space and access to the internet / intranet) as is reasonable in all the circumstances to enable them to carry out their duties or undergo training, having regard to any relevant provisions of a Code of Practice issued by ACAS; 3. Provide a **new statutory right for trade union equality representatives to take time off** (as is reasonable in all the circumstances having regard to an ACAS Code of Practice) during the employee's working hours for the purposes of: o Carrying out activities for the purpose of promoting the value of equality in the workplace; o Arranging learning or training on matters relating to equality in the workplace; o Providing information, advice or support to qualifying members of the trade union in relation to matters relating to equality in the workplace; o Consulting with the employer on matters relating to equality in the workplace; o Obtaining and analysing information on the state of equality in the workplace; and o Preparing for any of the things mentioned above. See the Factsheet ***Access to Facilities and Facility Time***.		
October 2026	Extend time for bringing an employment claim to 6 months	The Bill will increase the time limit for making a claim to an employment tribunal from 3 months to 6 months for all claims.	N/A	
October 2026	Provide protection against detriment for taking part in protected industrial action	In *Secretary of State for Business and Trade v Mercer [2024],* the Supreme Court accepted that the UK is not required to provide universal protection in all circumstances to all workers against any detriment (however slight) intended to dissuade or penalise workers from participating in a lawful strike. To address this, the Bill will amend TULRCA by inserting new section 236A into Part V (Industrial Action) to provide that a worker has the right not to be subject as an individual to detriment of a prescribed description by an act, or any deliberate failure to act, by the worker's employer, if the act or failure takes place for the sole or main purpose of preventing or deterring the worker from taking protected industrial action, or penalising the worker for doing so. The prescribed detriment(s) will be set out in secondary legislation following consultation, to take place after Royal Assent of the Bill. The power in the Bill enables the Secretary of State to prohibit all detriments in secondary	**Winter/Early 2026** Consultation on what should be prescribed as a detriment.	

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		legislation, should that be the preferred approach following consultation. See the Government's Factsheet ***Protection for Taking Industrial Action***.		
October 2026	Bringing forward regulations to establish the Fair Pay Agreement Adult Social Care Negotiating Body	The Bill allows the Government to establish an industry-wide body composed of representatives of employers and unions in the social care sector (the Adult Social Care Negotiating Body). The Government will be able to 'ratify' agreements reached within this negotiating body relating to the terms and conditions of all staff employed in the provision of adult social care in England, when they would become binding on all employers in the sector.	Consultation published here – ***closes 16 January 2026***	
Expected December 2026	Commencement of the Mandatory Seafarers Charter	A new mandatory charter for seafarers will require with higher standards around health and safety, pay, job security and rest breaks. Operators of services in scope will be requested by the harbour authority to declare that they are meeting these requirements to continue accessing the port. Failure to do so will incur a charge on each occasion that the vessel providing the service enters the port. If the surcharge is not paid, access to the port will be denied.		
2027 IMPLEMENTATION				
2027	**Day 1 right to unfair dismissal** (with probationary periods for new hires)	Protection from unfair dismissal will become a day one right, removing the current two-year qualification period. The Government will consult on a statutory probation period ('initial period of employment'), during which there will be a lighter-touch process for employers to follow to dismiss an employee who is not right for the job. An amendment to the Bill allows the Government to impose a cap on compensation awards during this initial period of employment. Existing day one rights protecting employees from unfair dismissal including for discrimination or whistleblowing will not be affected by the statutory probation period. Employers will retain the ability to run separate contractual probation periods of any length. The two-year qualifying period for the right to request written reasons for dismissal will also be repealed, with employees qualifying for this right after the statutory probation period has concluded. The Government will consult on: • the length of the statutory probation period, but it has indicated that its preference is nine months; • how the probationary periods will operate to ensure meaningful safeguards are in place. The Government has suggested this should consist of holding a meeting with the employee to explain the concerns about their performance (with the employee entitled to be accompanied by a trade union representative or a colleague); • how the new probationary periods will interact with the ACAS Code of Practice on disciplinary and grievance procedures; and • a compensation regime for successful claims for unfair dismissal during the statutory probation period.	**Summer/Autumn 2025**	

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		NB: Currently, the Bill is tied up in Parliamentary 'ping-pong,' as the two houses of Parliament try to agree the final details of the Bill. On 16 July 2025, the Lords voted to reduce the qualifying period for unfair dismissal from two years to six months, but this was rejected by the House of Commons on 15 September 2025 and the original provisions reinstated. The Lords reinstated the amendment on 28 October, but the Commons rejected it on 5 November. On 17 November 2025, the Lords again voted in favour of a motion insisting on the amendment to six months before sending the Bill back to the House of Commons. See the Factsheet ***Unfair Dismissal***.		
2027	**Ban 'exploitative' zero hours contracts** and introduce: 1. A right to a guaranteed hours contract reflecting regular hours (12-week reference period); and 2. Reasonable notice of shift changes, with compensation for curtailed or cancelled shifts.	The Bill will ban "exploitative" zero hours contracts. Those on zero hours or low hours contracts who regularly work more than these hours will have the right to a **guaranteed hours contract** which reflects the hours they regularly work over a 12-week reference period. If more hours become regular over time, subsequent reference review periods will provide workers with the opportunity to reflect this in their contracts. Those who wish to remain on zero hours contracts will still be able to do so. Measures will also be introduced to ensure workers get **reasonable notice of changes in shifts or working time, with proportionate compensation for any shifts cancelled or curtailed at short notice**. The Bill was amended in March and July 2025 to: (i) Include agency workers on a zero or 'low hours' contract in the zero hours contracts measures; (ii) Allow contracting out from the zero hours measures under the terms of a collective agreement. For agency workers, the collective agreement can be with the person who has the contract with the agency worker; (iii) Introduce anti-avoidance provisions to prevent employers from manipulating the hours made available to a worker with the intention of making a lower guaranteed hours offer or avoiding the obligation; (iv) Require end-hirers to make a guaranteed hours offer to an agency worker that protects the agency worker's pay and conditions, so that these are no less favourable than they had previously been working under (or those of comparable workers doing broadly similar work); (v) Clarify that when an agency worker accepts a guaranteed hours offer from an end-hirer, they will become a worker (rather than an employee); (vi) Place responsibility on both the employment agency and the end hirer for providing an agency worker with reasonable notice of shifts, with tribunals able to apportion liability appropriately; (vii) Allow regulations to prescribe how agency workers should receive notice of shifts and any cancellations, curtailments or movements; (viii) Allow employment agencies to be responsible for paying short notice cancellation, movement or curtailment payments to eligible agency workers (subject to recouping these from the hirer where it is their responsibility for up to two months after the Bill is passed, after which this will need to be provided for in the agreement between the hirer and the agency).	**Autumn 2025** Matters for consultation are likely to include: • The reference period for calculating average hours. • How to ensure agency workers receive reasonable notice of shifts. • Rights to payments for short notice cancellation, curtailment and movement of shifts. • What is a temporary need (to be defied in regulations, in response to	

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		The reference period for calculating average hours has still not been defined, although a period of 12 weeks has previously been mentioned. New guidance about the application of zero hours measures to agency workers will be published before the measures come into force. *NB: Currently, the Bill is tied up in Parliamentary 'ping-pong,' as the two houses of Parliament try to agree the final details of the Bill. On 28 October 2025, the Lords voted in favour of an amendment requiring employers to notify workers of their right to a guaranteed hours offer and to make a guaranteed hours offer unless the worker declined or opted out, but this was rejected by the House of Commons on 5 November 2025. On 17 November 2025, the Lords voted to insist on the 28 October amendment. The Bill will return to the House of Commons for consideration.*	concerns about seasonal or temporary work).	
2027	Duty to collectively consult triggered by number of people impacted across the business rather than in one workplace	Currently, the duty to collectively consult arises where an employer is proposing to dismiss as redundant 20 or more employees at one establishment within a period of 90 days or less. At first, the Bill proposed to remove the words "at one establishment" so that the number of proposed redundancies for collective redundancy consultation purposes would be determined across the business. In March 2025, the Government amended this proposal to allow further regulations to specify an **alternative threshold number for collective consultation**. This will be either a specified number, a number defined by a specified percentage of employees or determined in another way, as long as the number is not lower than 20. This means that collective consultation will only be triggered if: (a) there are 20 or more redundancies at one establishment; OR (b) the alternative threshold is met. The concession has been welcomed by multi-site employers who had been concerned about the scope for being in a continual state of collective consultation, although it remains to be seen where the government will set the alternative threshold. The Bill was also amended to clarify that employee representatives will not all need to be consulted together, nor the same agreement reached with all of them in relation to separate batches of redundancies. Further guidance will be issued for employers on consultation processes for collective redundancies. See the Factsheet ***Collective Redundancy***.	**Winter / Early 2026** Consultation on the alternative threshold for collective consultation.	
2027	Day 1 right to flexible working as the default for all workers (refusal of requests only if reasonable on prescribed grounds)	The Bill aims to support access to flexible working by ensuring that employers accept reasonable and feasible requests. Currently, employers only have to deal with the request in a reasonable manner and base the refusal on one of a list of reasons. Under the new regime, employers will only be able to reject a flexible working request where it is reasonable to do so on the grounds of one (or more) of the eight business reasons already set out in primary legislation. If an employer wants to reject a request, they will need to consult with the employee (as they currently do), but by following a specified process, to be set out in secondary legislation. If an employer rejects a request, they must explain to the employee in writing what the ground for any refusal is and why their refusal is considered reasonable.	**Winter / Early 2026** The Government will develop the detail of the approach through consultation with business, trade	

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		The changes will make refusal of flexible working requests more difficult for employers as the employer has to be reasonable in its reliance on the factors. There is no change to the penalty for a breach of the requirements (currently, 8 weeks' pay). See the Factsheet ***Flexible Working***.	unions and third sector bodies.	
2027	Day 1 right to new statutory bereavement leave going beyond existing parental bereavement leave (to include pregnancy loss before 24 weeks)	The Bill establishes a statutory 'day one' right to at least one week of unpaid bereavement leave for those in a qualifying relationship to the deceased. A "bereaved person" will be defined under separate regulations. Originally, the Bill did not reference pregnancy losses before 24 weeks. However, in July 2025, the Government extended the new statutory bereavement leave to employees who experience pregnancy loss before 24 weeks. This will entitle mothers and their partners to at least one week of leave, although the exact amount of leave is still to be consulted on. The amendments clarify that the definition of "pregnancy loss" will cover the ending of a pregnancy before 24 weeks in any way other than a live birth, including abortions and implantation failure following IVF treatment. See the Factsheet ***Bereavement, Paternity and Unpaid Parental Leave.***	**Autumn 2025** The Government will consult on the amount of leave.	
2027	Mandate gender pay gap and menopause support equality action plans (for employers with 250+ employees) *NB: Introduced on a voluntary basis in April 2026*	The Bill will allow regulations to require large employers (with 250+ employees) to detail the evidence-based actions they are taking to improve gender equality and to support employees during the menopause. Employers will be provided with information and guidance about effective actions which are backed up by evidence and support to help them select appropriate actions. Employers will publish their plans on the gender pay gap reporting service. To motivate employers to support efforts to improve gender equality in organisations that they are linked to, regulations will also require employers to name who they received outsourced work from on the gender pay gap reporting service. See the Factsheet ***Equality Action Plans and Outsourcing***. *NB: The Government's Roadmap to the reforms notes that implementation of the gender pay gap outsourcing measure will be dependent on timelines for broader changes to pay gap reporting, including related measures in the draft Equality (Race & Disability) Bill.*	N/A	
2027	Make it unlawful to **dismiss** a woman during pregnancy and up to 6 months after her RTW (except specific circumstances)	Currently, it is automatically unfair to dismiss an employee because they are pregnant or on maternity leave and women have the right to be offered suitable alternative employment (if available) in a redundancy situation starting from when they notify their employer of their pregnancy and ending 18 months after the baby's birth. The Bill will allow the government to introduce regulations to cover other dismissals (which are not redundancies) taking place during pregnancy, maternity leave or following a return to work, so that it will be unlawful for employers to dismiss pregnant women, and mothers on maternity leave, in the six months after they return to work - except in specific circumstances. This will extend the current protection from redundancy during or after a protected period of pregnancy so that it applies to redundancy **or dismissal** during or after a protected period of pregnancy. Following consultation, regulations will set out details of the enhanced dismissal protection policy, including:	**Autumn 2025** The Government is consulting on the detail of the enhanced dismissal protections before finalising the approach.	

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		• the circumstances in which it will be fair to dismiss a pregnant woman or new mother; • the six-month period of protection after the employee has returned to work; and • any procedural elements, such as notice and evidence requirements. Other powers in the Bill will allow regulations to extend the enhanced dismissal protections to parents returning from other types of family-related leave such as adoption leave and shared parental leave. This will be explored through consultation. See the Factsheet ***Enhanced dismissal protections for pregnant women and new mothers***.	Consultation published here – *closes 15 January 2026*	
2027	Power to enable regulations to specify steps to be regarded as 'reasonable' to determine whether an employer has taken all reasonable steps to prevent sexual harassment	The Bill introduces a power to allow the Government to make regulations at a later date to specify steps that are to be regarded as "reasonable" for the purpose of determining whether an employer has taken, or failed to take, all reasonable steps to prevent sexual harassment of an employee. A non-exhaustive list of obligations will be set out that are to be regarded as reasonable steps an employer must take in order to prevent workplace sexual harassment. Employers to which the duties apply must take these steps while also taking all other preventative steps that are reasonable in the particular circumstances. Any requirements specified will be reasonable for the employers to which they apply. The steps that may be specified in regulations include carrying out assessments of a specified description, publishing plans or policies of a specified description, steps relating to the reporting of sexual harassment and steps relating to the handling of complaints. See the Factsheet ***Power to make provision about "reasonable steps."***		
2027	Strengthen protections against blacklisting by updating blacklisting regulations to protect a wider range of people	The Bill extends amends the Employment Relations Act 1999 to allow strengthened protections against blacklisting to be delivered by secondary legislation and guidance. Currently, lists prepared for the purposes of discrimination are prohibited. This Bill will extend prohibitions to lists that are not prepared for the purposes of discrimination but later used for that purpose. The Government will also bring forward secondary legislation and guidance to make it clear that blacklisting prohibitions extend to lists created by predictive technology. The Bill also removes references to employers or employment agencies within the blacklisting legislation, widening the scope of the existing power so that regulations can be made to strengthen protections in relation to third parties compiling blacklists, for example, those who do not have a direct employment relationship with the individual being blacklisted. See the Factsheet ***Blacklisting***.	**Winter/Early 2026**	
2027	Industrial relations framework	The Government intends to establish a new industrial relations framework, to modernise the legal framework that underpins trade unions.		
2027	Expand the legal definition of "employment business"	The Government wants to ensure that workers get comparable rights and protections when working through an umbrella company as they would when taken on directly by an employment business. The Bill will expand the legal definition of "employment business" to include umbrella companies, bringing them within scope of the Employment	**Autumn 2025** The Government will consult on a	

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	to include umbrella companies to enable them to be regulated	Agency Standards Inspectorate's (and later, the FWA's) remit, allowing enforcement action to be taken against any umbrella companies that do not comply. The Government will consult on amending the Conduct of Employment Agencies and Employment Businesses Regulations 2003 (**Conduct Regulations**) to ensure they are appropriate for application to umbrella companies and to address the main harms identified in the sector (e.g. lack of pay transparency and difficulty in enforcing employment rights and obligations). The new regulations will apply to the expanded definition of employment businesses. See the Factsheet ***Umbrella Companies***. *NB: Outside of the Bill, separate legislation due to take effect in April 2026 will move the responsibility to account for PAYE from the umbrella company that employs the worker to the recruitment agency that supplies the worker to the end client. Where there's no agency in the supply chain, this responsibility will sit with the end client.*	regulatory framework for the umbrella company sector which will apply to the expanded definition of employment businesses.	

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