

2026 Employment Bill Updates:
What HR Teams and Employers Need to Know

Date	Area of Law	Changes
18 th February	Trade Unions	<p>Trade Union Processes & Balloting</p> <ul style="list-style-type: none"> • Reduced facility time reporting requirements for public sector organisations. • Simpler strike ballot rules for the public sector: Removal of the 40% support requirement previously needed in “important public services.” • Simplified ballot notices and voting papers issued by unions. • Notice period before industrial action reduced from 14 days to 10 days. • A successful strike ballot will now remain valid for 12 months (instead of 6) for ballots opened on or after 18 Feb 2026. • Formal picket supervisor requirements scrapped, unions no longer must appoint or notify a supervisor.
		<p>Industrial Action Protections</p> <ul style="list-style-type: none"> • New protection against “prescribed” detriments for taking industrial action. (Actual detriments to be defined later, so no practical effect yet.) • Stronger protection from dismissal for taking protected industrial action: The previous 12-week limit on unfair dismissal protection is removed.

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6th April	Statutory Sick Pay (SSP)	<ul style="list-style-type: none"> • Will increase from £118.75 to £123.95 • Payable from day one of sickness (previously day four). • Eligibility begins from the start of employment — no minimum service requirement. • Lower Earnings Limit removed — all employees qualify for SSP regardless of earnings. • SSP payment level: employees receive 80% of normal weekly earnings, or the flat SSP rate, whichever is lower. <p>Transitional Arrangements:</p> <p><i>Employees already receiving SSP before 6 April 2026:</i> Will continue to receive the updated flat rate of SSP for the remainder of their continuous sickness absence.</p> <p><i>Employees still in a waiting-days period on 6 April 2026:</i> Will immediately begin receiving SSP from 6 April onward, as waiting days are abolished under the new system.</p> <p><i>Employees earning below the current Lower Earnings Limit (LEL):</i> If off sick on or after 6 April 2026, they will become newly eligible for SSP due to the LEL removal.</p> <p><i>Employees earning between £125 and £154.05 per week:</i> If they were already receiving SSP before 6 April 2026, they will receive the flat rate of £123.25 per week throughout their continuous sickness absence.</p> <p>(continued on next page)</p>

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6 th April	Statutory Sick Pay (SSP)	<p>Transitional Arrangements (continued): Employees receiving the protected flat rate before April 2026: Will continue to do so until one of the following occurs:</p> <ul style="list-style-type: none"> • They return to work • They exhaust SSP entitlement (up to 28 weeks) • Their employment contract ends
		<p>Calculating Average Weekly Earnings (AWE) and SSP Payments:</p> <ul style="list-style-type: none"> • SSP for employees whose earnings fall below the flat rate will be calculated as 80% of their Average Weekly Earnings, based on the relevant 8-week earnings period • All SSP amounts will be rounded up to the nearest penny. • For linked sickness periods occurring within 56 days, the AWE from the initial period will continue to apply for all subsequent calculations.
6 th April	Family-Friendly Leave	<p>Paternity Leave:</p> <ul style="list-style-type: none"> • Will become a day 1 right • The qualifying service requirement will be removed where the child's expected week of childbirth is on or after 5 April 2026, or where the child is born or placed for adoption on or after 6 April 2026. • Under the transitional arrangements, employees may give notice at any time from 18 February 2026.
		<p>Parental Leave: Will become a day 1 right</p>

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6 th April	Family Friendly Leave	<p>Bereaved Partner Paternity Leave:</p> <ul style="list-style-type: none"> • Bereaved Partner’s Paternity Leave Regulations 2026 allow up to 52 weeks’ unpaid paternity leave if the child’s mother dies within the first year after birth. • Applies to the child’s father or the mother’s spouse, civil partner or partner. • Also applies in adoption cases where the main adopter dies within a year of placement. • Rights apply to deaths on or after 6 April 2026. • If both the mother (or adopter) and the child die within the first year, up to 8 weeks’ leave is available.
6 th April	Trade Union	<ul style="list-style-type: none"> • Unions only need to show that 10% of workers in the proposed bargaining unit are members when applying for statutory recognition. • A union will be recognised if more than 50% of voters support it in a recognition ballot (the rule requiring 40% of all eligible voters is removed). • Once a recognition application is accepted, employers must agree access arrangements with the union when asked, before any ballot is ordered. • Unions can hold electronic ballots and, with employer agreement, workplace ballots for industrial action. • Hybrid ballots (a mix of electronic and paper voting) are also allowed.
6 th April	Redundancy	<p>The maximum protective award in a collective consultation situations will increase from 90-180 days pay.</p>

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6th April	Whistleblowing	<ul style="list-style-type: none"> • Sexual harassment will be added to the types of issues that can qualify as a protected disclosure under whistleblowing law. • If a disclosure meets the legal criteria for a protected disclosure (including the public interest test), the individual is protected from any detriment linked to the disclosure, including dismissal. • The individual may bring an employment tribunal claim if they suffer such detriment.
April	Fair Work Agency	<ul style="list-style-type: none"> • Will be a single enforcement body created under the Employment Rights Bill/Act to unify enforcement of key employment rights. • Combines existing enforcement functions, including national minimum wage, employment agency regulation, gangmaster licensing, and enforcement of unpaid tribunal awards. • Will include workplace inspections, document requests, and providing legal support and representations to workers in tribunal cases. • Penalties and compliance tools, such as notices of under or unpaid statutory payments. • Aims to simplify enforcement, offering a single point of contact, improved efficiency, proactive employer support, and robust action against exploitation.

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1st October 2026	Fire and Rehire	<p>A dismissal is automatically unfair if:</p> <ul style="list-style-type: none"> • The main reason was that the employee refused to agree to a variation of certain restricted terms in their contract. • The employer’s purpose was to employ someone else, or re-engage the dismissed employee under a varied contract to perform substantially the same duties. <p>A dismissal will not be automatically unfair if the employer can demonstrate:</p> <ul style="list-style-type: none"> • The contractual variation was necessary due to financial difficulties affecting the ability of the business to continue operating, and • The need for that variation could not reasonably have been avoided.
1st October 2026	Harassment	<p>Sexual Harassment: Employers will have to take “all reasonable steps” to prevent sexual harassment in the workplace.</p> <p>Harassment: Employers will be liable for 3rd-party harassment of workers in the course of their employment, where they have not taken “all reasonable steps” to prevent it. All types of harassment are covered by this provision.</p> <p>Employers will have to show what they have done to prevent harassment, for example, policy updates, training.</p>
1st October 2026	Tribunals	<p>The time limit for tribunal claims will increase from 3 months to 6 months. This will apply to all employment tribunals, including unfair dismissals and discrimination.</p>

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October 2026	Tipping	<p>Employment (Allocation of Tips) 2023 requirements enhanced.</p> <p>Employers must:</p> <ul style="list-style-type: none"> • Review their tipping policy every 3 years, at least. • Consult with employees, or representatives when developing their tipping policies.
October 2026	Trade Unions	<p>Duty to Inform:</p> <ul style="list-style-type: none"> • Employers will be required to provide their employees with a written statement outlining their right to join a trade union, on commencement of employment. • Reminders will need to be sent (frequency to be determined) <hr/> <ul style="list-style-type: none"> • New rights and protections for trade union reps. • Extension of protections against detriments for taking industrial action.

Resources:

<https://assets.publishing.service.gov.uk/media/696fabb3c0f4afaa9536a0f2/employment-rights-act-2025-overview-factsheet.pdf>