

Finance and Resources Committee

12th March 2026

Employment Rights Act 2025 Report

1.0 PURPOSE OF PAPER

For information

- 1.1 This paper is to provide the Finance and Resources Committee with assurances that all adequate preparations are being made in advance of the implementation of the employment law changes which will affect the College due to the changes in the Employment Rights Act 2025, ensuring that all legal requirements relating to employment law and other legislation affecting employment are being adhered to.

2.0 EXECUTIVE SUMMARY

- 2.1 This paper is to provide the Finance and Resources Committee with an update on up and coming Employment Law changes which will be phased in during 2026/27, identifying the impact for the College.

The Employment Rights Act 2025 (formerly the Employment Rights Bill) is designed to modernise UK employment law, strengthen worker protections, and "make work pay" as part of the government's plan to boost wages, enhance job security, and increase economic productivity. The legislation is intended to bring about the biggest upgrade to workers' rights in a generation, shifting toward a more secure, flexible, and fairer workplace, particularly for those in low-paid or insecure, precarious roles.

3.0 RECOMMENDATION(S)/ACTION(S) REQUIRED

- 3.1 This paper is presented to the Finance and Resources Committee for information.

4.0 BACKGROUND

- 4.1 Following the King formally agreeing to make the Employment Rights Bill into an Act of Parliament in December 2025 there are a number of employment law changes planned for 2026 and 2027. Further information on the bill can be found in this link [Employment Rights Bill - Acas](#).

This paper will outline the key aspects of the bill which will directly affect the College and details of how we are responding to these. A number of these changes are still a matter for consultation, and some aspects may change based on that consultation process. We will keep informed of this through our Mentor Employment Law service and through attendance at webinar updates from ACAS and other legal bodies.

5.0 Changes Currently Anticipated – Employment Rights Act 2025

5.1 Table of Changes - Employment Rights Act 2025

The table below shows the anticipated changes, the date of the proposed change and the impact for the College and any actions currently being taken to address the changes.

Change anticipated	Date of Proposed change	Action by College
Minimum service levels for being able to take part in strikes	December 2025	No impact
Dismissal for taking part in industrial action become automatically unfair	February 2026	No impact
Notice of industrial action reduce from 14 days to 10 days	February 2026	Minimal impact
Unions only require a simple majority to vote for industrial action	February 2026	This removes the requirement for a 50% turnout as well as 50% yes vote and therefore we need to be aware that it may be easier for a union to call its members out on strike
Picket Supervisors no longer required	February 2026	No impact
Industrial action mandates last for 12 months instead of 6 months	February 2026	We need to be aware that this will make prolonged strike action easier
Paternity leave becomes a day one right	April 2026	Minimal impact
Ordinary parental leave becomes a day one right	April 2026	Minimal impact
Restriction on taking paternity leave directly following shared parental leave removed	April 2026	Minimal impact
Statutory Sick Pay to be paid from day one of sickness absence	April 2026	No impact as we already pay occupational sick pay from day one
Lower earning limit removed for sick pay	April 2026	This may have a financial impact but extremely rarely

Failure to consult on redundancy compensation increases from 90 days to 180 days pay	April 2026	No impact
Action plans around menopause and gender pay gap become voluntary requirements	April 2026	No impact as we already embed these in our Equalities Action Plan
Simplifying how a trade union can gain recognition in a workplace	April 2026	We need to be aware of this given that we only recognise one of the three national support staff unions.
Fire and rehire becomes automatically unfair	October 2026	No impact
Employers become liable for harassment from third parties unless they have taken all reasonable steps to prevent it	October 2026	Further guidance on this will need to be included within the Harassment Policy when it becomes available
Employers will need to take all reasonable steps to prevent sexual harassment	October 2026	Further guidance on this will need to be included within the Harassment Policy when it becomes available
Employment Tribunal time limit increase from 3 months to 6 months	October 2026	This provides individuals who leave with a longer period of time in which to raise an ET1 (Employment Tribunal Claim) which we will need to be aware of but should have minimal to no impact.
New duty for employers to inform workers of their right to join a trade union	October 2026	Further guidance on this will be required as this may need to be written into contracts of employment
Updated rules on a trade union's right to access the workplace	October 2026	More detail is required to fully understand any impact this may have
New right to time off for union equality representative to carry out their duties	October 2026	We would expect this to be included in the time currently provided to unions for duties therefore there should be on impact
Protection against detriment when taking part in industrial action	October 2026	Further guidance on this will clarify what "detriment" is included but this should have no impact
New measure for public sector outsourcing, to avoid having different terms and conditions for ex-public sector employees and private sector employees	October 2026	This will need to be considered if at some time in the future we are looking at outsourcing any of our services.

Protection from unfair dismissal will become a right after 6 months. This is currently 2 years.	January 2027	This will have a significant impact for the college, and we will need to ensure that our Managers properly use and record the probationary period. We will be required to review and reduce out probationary period from six months to a maximum of four months to allow for due process. This change will need to be implemented from July 2026.
Strengthened protection for pregnant workers and those returning from maternity leave	2027	No impact
Statutory bereavement leave	2027	No impact as we already provide this benefit
Zero hours contract rights to guaranteed working hours if they want them	2027	This could have a significant impact on the way we contract our bank staff and use variable hours within contracts and could mean that we need to issue weekly fixed term contracts to engage staff to cover absences or carry out extra hours. We will consider this when the full legislation on this item is finalised following Government consultation.
Compensation for cancelled shifts	2027	No impact as this is unlikely to happen
If an employer rejects a flexible working request they must state the reason and explain why they believe their refusal is reasonable	2027	No impact as we already do this as good practice.
Gender pay gap and Menopause action plans become mandatory	2027	No impact as we already have these embedded in our Equality Action Plan
Collective redundancy to include all work places when considering total number for consultation and notification purposes	2027	No impact
A new industrial relations framework to help employers and trade unions work together	2027	Minimal impact, local relations are strong. There may be some impact at a national level which will be considered when reviewing any recognition agreements.

6.0 IMPLICATIONS AND CONSIDERATIONS

6.1 Financial Implications

Some of these legislative changes may have very limited costs associated with them.

6.2 Learner Implications

Ensuring that we have a well trained, engaged workforce and that we are a fair employer adhering to legislation will have a positive impact on our student's learning experience

6.3 Staff Implications

Managers will require training on some aspects of these changes to employment law. Policy authors will be required to review and update any policies which are affected by these changes.

The Act will provide staff with more protection, enhance job security and provide a more flexible, fairer workplace.

6.4 Equality and Diversity Implications/Equality Impact Assessment

We will need to review our Equality Action Plan to ensure that any requirements coming from the Employment Bill changes are included in the Action Plan or consider if we require separate action plans.

6.5 Sustainability/Environmental Implications

None identified

7.0 RISK COMMENTARY

- 7.1 There is a risk that the College does not comply with changing legislation around Employment Law if we are not aware of, and do not make the necessary changes to our policies and practices.

8.0 CONCLUSION

- 8.1 The Employment Rights Act provides workers with more protection although it is still subject to further change following consultation processes on some aspects of the Act. The College will keep the changes under review ensuring that our policies and procedures adhere to the changing law and that the rights for workers are embedded within our processes and culture.

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Deborah M Kerr

Director of People Services

February 2026

Previous Board or College Committee Approvals:

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