



Employment Rights Act 2025

October 2026 – Employer Readiness Checklist

Purpose

October 2026 brings another important phase of the Employment Rights Act 2025.

Changes include longer Employment Tribunal claim time limits, stronger duties around workplace harassment and significant changes to trade union rights.

Use this checklist to identify the key areas your business should review and prepare for.

Employment Tribunal Claims

From **1 October 2026**, the time limit for bringing most Employment Tribunal claims increases from **three months to six months**.

Is your business ready?

- Review internal guidance that refers to Employment Tribunal time limits
- Ensure employee relations decisions are clearly documented
- Keep appropriate records of disciplinary, grievance, performance and redundancy processes
- Ensure managers understand the importance of good record keeping
- Review document retention arrangements
- Make sure relevant evidence and records can be located if needed
- Continue to deal with workplace concerns promptly rather than allowing issues to drift

Remember: A longer claim period does not mean employers should retain all employee information indefinitely. Personal data should continue to be managed in accordance with your data protection and retention requirements.

Preventing Sexual Harassment

From **30 October 2026**, employers must take **all reasonable steps** to prevent sexual harassment.

Having a policy is important, but employers should also consider what they are doing in practice to prevent inappropriate behaviour.

Is your business ready?

- Review your sexual harassment and/or bullying and harassment policy
- Identify areas of particular risk within your workplace
- Consider whether a sexual harassment risk assessment is required
- Ensure employees know how to report concerns
- Ensure alternative reporting routes are available where appropriate
- Brief managers on recognising and responding to inappropriate behaviour
- Review employee and manager training
- Consider risks arising from work social events, alcohol, lone working, business travel and digital communications
- Keep appropriate records of preventative measures taken
- Review arrangements following complaints or incidents

Ask yourself: Could you demonstrate the steps your business has taken to prevent sexual harassment?

Third-Party Harassment

From **30 October 2026**, employers will also have strengthened responsibilities where employees experience harassment from a third party in the course of their employment.

Third parties could include customers, clients, patients, service users, parents, suppliers, contractors or members of the public.

Is your business ready?

- Identify which employees regularly interact with third parties
- Consider where and when third-party harassment could arise
- Assess whether any roles, locations or working arrangements create a higher risk
- Make sure employees know they can report inappropriate third-party behaviour
- Give managers guidance on responding to incidents
- Consider what action could be taken if a customer, client or other third party behaves inappropriately
- Consider additional controls for lone workers and employees working at client or customer premises
- Review previous incidents or complaints for recurring risks
- Make sure third-party risks are considered as part of your harassment prevention arrangements

Remember: Inappropriate behaviour should not simply be accepted because it comes from a customer, client or another person outside the organisation.

Trade Union Rights

A number of trade union reforms take effect from **30 October 2026**, including strengthened rights relating to workplace access, trade union representatives, recognition and industrial action.

Is your business ready?

- Make sure relevant managers understand that trade union rights are changing
- Ensure managers know who to contact if a trade union approaches the business
- Review procedures for responding to trade union workplace access requests
- Familiarise relevant managers with the strengthened workplace access arrangements
- Review procedures for working with trade union representatives
- Ensure relevant managers understand the protections applying to trade union representatives
- Review guidance concerning industrial action and protection from detriment
- Seek advice before responding to formal trade union access or recognition matters if you are unsure of the correct process

Important: The separate requirement for employers to provide workers with a written statement informing them of their right to join a trade union was previously expected in October 2026 but has now been moved to **January 2027**.

Your October Action Plan

Consider:

- What policies or procedures need updating?
 - What practical action needs to be taken?
 - Are any workplace risk assessments required?
 - Who will be responsible for each action?
 - What manager training or briefing is required?
 - What employee communication is appropriate?
 - What needs to be completed before the relevant implementation date?
 - How will you evidence the steps your business has taken?
-

Need Help?

Our HR experts can help you prepare for the October Employment Rights Act changes, review your HR documentation and provide practical support with implementation.

Whether you need help reviewing your policies, assessing workplace risks, preparing your managers or understanding how the changes affect your business, HR:4UK is here to support you.



Contact HR:4UK today if you would like help preparing your business.



www.hr4uk.com

FINAL NOTE

The October 2026 changes are not just about updating policies and documents. Employers should also consider whether their day-to-day practices, manager awareness and workplace processes are ready for the new requirements.

Taking practical steps now, and keeping those measures under review, can help your business manage the changes confidently and consistently.

Updated September 2026

Disclaimer

This checklist is intended as general guidance only and does not constitute legal advice. Employment law requirements and their application can vary depending on individual circumstances. If you are unsure how the Employment Rights Act changes affect your business, we recommend seeking advice before taking action.