

Topic	Change	Key steps employers should take to prepare
<b>Family-friendly Rights</b>	<p>Statutory paternity leave and parental leave will both become "day one" rights. The government estimates this will lead to an additional 1.5 million employees gaining the right (as per page 121 of its latest <a href="#">Impact Assessment</a>).</p>	<p>Changes will be required to the relevant policies, including:</p> <ul style="list-style-type: none"> <li>• <b>Parental leave policy</b> – Removal of reference to 12-month qualifying period for eligibility.</li> <li>• <b>Paternity policy</b> – Removal of reference to six-month qualifying period for eligibility and the removal of any provision which says the employee cannot take paternity leave if they have already taken a period of shared parental leave in relation to that child.</li> <li>• <b>Shared parental leave policy</b> – Removal of any provision which says that employees cannot take paternity leave if they have already taken shared parental leave.</li> </ul>
<b>Sickness Absence</b>	<p>Changes to Statutory Sick Pay (SSP) entitlement, namely no three-day waiting period and no Lower Earnings Limit; meaning SSP will be payable from the first day of sickness and all employees regardless of earnings level will be eligible for SSP.</p> <p>The Department of Work and Pensions estimates that the additional SSP payments made by employers are likely to cost around £400 million per year.</p> <p>The <a href="#">Impact Assessment</a> confirms (page 150) that this change is certain to have a disproportionate cost to small and micro businesses.</p>	<p>Changes to your sickness absence policies will be required, including:</p> <ul style="list-style-type: none"> <li>• Ensure the policy includes scope for the employer to adapt, amend and depart from it where appropriate, e.g. during probationary period.</li> <li>• Update sick pay provisions (if applicable) to reflect changes to SSP (e.g. removal of reference to three-day qualifying period and Lower Earnings Limit).</li> <li>• Further changes may be required to the policy in advance of the changes to the unfair dismissal protections coming into force (the current two-year qualifying period will be reduced to six months from 1 January 2027), if the procedure currently differentiates between employees with two years' service or more and those with less than two years' service.</li> </ul> <p>Once we know more about how the new unfair dismissal provisions are going to work, further changes may be necessary.</p>
<b>Whistleblowing</b>	<p>Workers who report sexual harassment will qualify for whistleblowing protection.</p>	<p>Changes to your whistleblowing policy will be required, including updating the disclosures qualifying for protection that can be raised under the policy.</p>

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<b>Collective Consultation – Redundancy</b>	<p>Various changes will be made to the rules on collective redundancy consultation (see our <a href="#">At a Glance guide</a> for more details).</p> <p>The only change that will come into effect in April 2026 is the change to the penalties. The current maximum penalty that can be awarded by an employment tribunal is 90 days' actual pay per affected employee. As of April, this will be doubled, i.e. 180 days' actual pay per affected employee. This is a huge potential significant cost.</p>	<p>Employers need not take any particular steps to prepare for this, other than be awake to there being even greater need to follow the rules that apply to collective redundancy consultation exercises.</p> <p>If employers are planning for collective redundancies, and it is possible to do so, they may wish to consider starting the process sooner rather than later (to complete it within Q1 before the change comes into effect).</p>
<b>Trade Union Rights</b>	<p>It is not just businesses with a trade union presence that will be affected by these changes. Even those businesses that do not may be affected, as some of the changes might mean that trade unions seek to recruit, etc. in your workplace.</p> <p>Trade unions will have greater freedom to organise, represent and negotiate on behalf of workers.</p>	<p>Some of the trade union changes, including the repeal of the great majority of the provisions in the Trade Union Act 2016 will come into force in February 2026. The repeal of the Strikes (Minimum Service Levels) Act 2023 took place on 18 December 2025.</p> <p>Other changes will be introduced over the period April 2026 to 2027.</p> <p>To prepare, we recommend that employers, whether unionised or not, read our separate briefing note setting out the trade union changes in more detail – see <a href="#">here</a>.</p>

This note sets out the position in England and Wales. Changes in Scotland and Northern Ireland may differ.

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