

HR HUB NEWSLETTER

OCTOBER 2026 EMPLOYMENT LAW SPECIAL: EVERYTHING SMES NEED TO KNOW THIS AUTUMN



Welcome to this month's HR Hub – and buckle up, because it's a big one.

October marks one of the busiest months in the Employment Rights Act 2025 calendar

With two separate waves of changes landing on 1 October and 30 October. So, this edition is dedicated almost entirely to helping you understand exactly what's changing, what it means in practice, and what you should be doing right now.

We've also got an Acas update on a consultation worth knowing about, a look ahead to what's still coming in 2027, and a reminder that HR support from CE People goes far beyond just contracts and policies.

Let's get into it...

Note from Claire:

"This October is a big one, and I won't pretend otherwise. We've got two separate commencement dates, a widening of Right to Work checks, and some of the most significant unfair dismissal changes we've seen in years heading our way for January.

My advice? Don't try to tackle it all at once. Start with where your risk is highest – for most of our clients right now, that's probation periods and documentation. Get those right, and everything else becomes much more manageable."



Note from Emma:

"What strikes me most about this month's changes is how many of them come back to the same thing: good record-keeping.

Whether it's the extended tribunal time limits, the new harassment duties, or preparing for the unfair dismissal changes in 2027, having clear, consistent documentation is what will protect your business time and time again.

It's not the most exciting part of HR, I know! But it's the part that makes the biggest difference when something is ever challenged. We hope this issue helps you feel a bit more prepared for what's ahead."





Employment Law Special: October 2026 Changes

From 1 October 2026

Employment Tribunal time limits double

The time limit for bringing most Employment Tribunal claims increases from three months to six months.

What this means:

A dispute could now surface months after the event it relates to. If your meeting notes, policy versions, training records and decision-making evidence aren't properly retained, it becomes much harder to reconstruct what happened and defend your position. Good record-keeping isn't optional anymore – it's your evidence trail.

Tipping policy consultation requirements

Employers must consult workers before creating or changing a tipping policy, provide a summary of the feedback received, and review the policy at least every three years.

What this means:

If tips are part of how your business operates, changing your tipping policy without proper consultation – or without a record of that consultation – could create disputes and make it difficult to show your workers were properly involved.

● Right to Work checks: significant expansion coming (HMRC)

It's not just employment law changing this month – HMRC is also significantly expanding the Right to Work scheme. From 1 October 2026, the rules will extend to cover employers engaging individuals on worker's contracts, individual sub-contractors, and those sourced through online matching services.

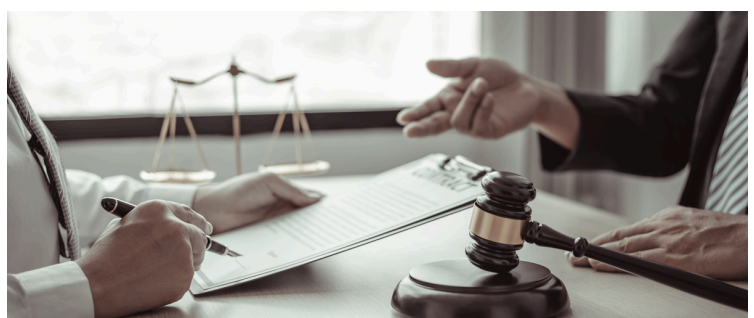
New "prescribed requirements" will also apply, including contractual terms, substitution controls, and identity verification systems.

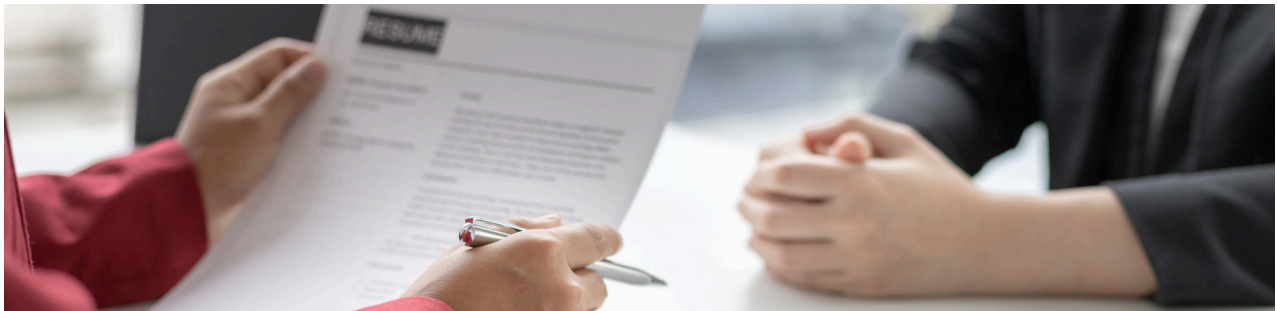
What this means:

If your business engages anyone outside of a traditional employee contract – think freelancers, sub-contractors, or workers sourced via platforms or apps – your Right to Work obligations are widening considerably.

Action:

Review your wider workforce and supply chain now, not just your direct employees, to make sure everyone engaged by your business is properly covered.





Employment Law Special: October 2026 Changes

From 30 October 2026

- **Duty to take "all reasonable steps" to prevent sexual harassment**

The prevention duty is rising from taking reasonable steps to taking all reasonable steps to prevent sexual harassment of workers.

What this means:

A harassment policy sitting untouched in a folder somewhere won't cut it anymore. You'll need to be able to show you've identified risks, trained your people, provided clear reporting routes, and acted on concerns – or you could be exposed to claims and enforcement action.

- **Third-party harassment liability**

Employers will become liable for harassment of their staff by third parties – customers, clients, suppliers, or the public – covering all types of harassment, not just sexual harassment.

What this means:

If your people are customer-facing, attend work events, or travel for work, this creates real exposure. Clear reporting routes and evidence of preventative action are essential.

Trade union right of access

Unions will be able to request physical and digital access to workers at any business with more than 20 employees, and employers will have 15 days to respond.

What this means:

Without a clear owner and process for handling access requests, you risk responding inconsistently or missing the statutory timescale. Breaches can attract fines of up to £500,000 – so this one really matters.

New rights and protections for trade union representatives

Trade union representatives will gain new rights and protections, including paid time off for equality-related activities.

Extended protections against detriment for industrial action

Workers taking part in industrial action will receive extended protection against detriment, meaning extra care is needed in how these situations are managed.



Your October 2026 Readiness Checklist

Have you:

- ☒ Reviewed your document retention policy to cover the extended tribunal time limit?
- ☒ Updated your Anti-Harassment and Equality Policies to reflect the "all reasonable steps" duty?
- ☒ Carried out a sexual harassment risk assessment, including third-party risks?
- ☒ Identified who in your business will own and respond to union access requests?
- ☒ Updated your new starter documentation to include the right to join a trade union?
- ☒ Briefed your management team on all of the above?

If you've ticked most (or none!) of these, we're always happy to help you close the gaps.



Looking Ahead: What's Still to Come in 2027

Unfair dismissal rights from six months' service (down from two years)

This is a significant one for employers. The qualifying period for ordinary unfair dismissal drops from two years to just six months, and the cap on compensatory awards is being removed entirely, increasing the financial risk of getting a dismissal wrong.

This starts affecting your decisions well before January itself: if you're using six-month probation periods, anyone hired in the second half of 2026 could reach that threshold right around, or before, the new law takes effect.

Probation processes, performance management and manager training all need to be robust well ahead of this date.

Removal of the cap on unfair dismissal compensatory awards

Restrictions on fire and rehire

Making it much harder to change contract terms without agreement

Right to join a trade union

Employers will need to inform new and existing workers of their statutory right to join a trade union. Offer packs, contracts and onboarding documentation that don't currently mention union rights won't meet the new duty – this will likely need to be built into your onboarding process or contract of employment

Later in 2027:

- **Bereavement leave** (including for pregnancy loss) becomes a day-one right, though unpaid
- **Changes to Non-Disclosure Agreements**, voiding certain confidentiality clauses relating to harassment and discrimination
- **Mandatory equality action plans** for larger employers subject to gender pay gap reporting
- **Enhanced dismissal protections** for pregnant employees and those on or returning from maternity leave
- **A lower threshold for collective redundancy consultation**
- **Strengthened flexible working rights**
- **Guaranteed hours reforms for zero and low-hours workers**, plus a right to reasonable notice of shifts

Our Advice:

“You don't need to overhaul everything today, but starting the conversation now – particularly around probation periods and contract flexibility clauses – will put you in a much stronger position when January arrives.”



Q&A: Your Employment Law Questions Answered



Q: “We're a small employer. Do we really need to worry about the new sexual harassment duties?”

A: Absolutely. From 30 October 2026, employers will be expected to take "all reasonable steps" to prevent sexual harassment, and third-party harassment protections are also expanding. The newsletter notes that simply having a policy in place is unlikely to be enough on its own.



Employers should be able to demonstrate that they have communicated expectations, trained managers and employees, identified workplace risks and provided clear routes for reporting concerns.

Q: “An employee started with us recently on a six-month probation period. With unfair dismissal rights changing in 2027, do we need to do anything differently?”

A: Yes. While the changes don't take effect until January 2027, now is a good time to review how you manage probation periods.

Many employers wait until the end of probation before addressing concerns, but that's rarely the best approach. Regular review meetings, clear objectives, honest feedback and documented discussions give employees the opportunity to improve and help employers make informed decisions.

If performance or conduct concerns arise during probation, address them early rather than waiting until the final review meeting.

Acas Update: Public Consultation on Disciplinary & Grievance Procedures

Alongside the Employment Rights Act changes, Acas has also been busy.

Acas has proposed its first full revision of the Code of Practice on Disciplinary and Grievance Procedures since 2009. The consultation on this draft code closed on 23 September 2026, and we're now waiting to hear the Government's response.

Why this matters:

Employment tribunals are required to take the Acas Code into account when deciding relevant cases, and a failure to follow it can adjust compensation awards by up to 25%. This isn't just guidance – it has real financial teeth.

What's being proposed:

The overarching theme is encouraging earlier, informal resolution of workplace concerns before things escalate to formal process – for both discipline and grievances. This includes clearer expectations around tone and language, tighter guidance on suspension and investigations, and more detailed rules specifically for handling grievances.

To put the scale of this in context: formal disciplinary procedures currently cost UK employers £2.36 billion annually, compared to just £250 million for informal ones – 10 times less. It's easy to see why Acas is pushing employers towards resolving things early.

What to do now:

Nothing needs to change immediately, but it's a good moment to review how confident your managers feel about handling concerns informally, before they ever reach a formal stage. We'll keep you updated as soon as the Government's response is published.

Client Success Story

“Trustworthy, practical, and people-focused HR support”

~ Oliver Humpriss, GSI Insurance

“Claire is not only incredibly knowledgeable and professional, but also genuinely caring and supportive. She takes the time to understand our business and our staff, and her approachable, motherly nature means our team always feels comfortable reaching out to her for advice and support.”

One of the best things CE People introduced us to was the Breathe HR system, which has been worth its weight in gold. It has made managing HR processes significantly easier and has become an invaluable tool for our business.

I would have no hesitation in recommending Claire and CE People to any business looking for trustworthy, practical, and people-focused HR support.”





Did You Know? There are more Ways We Can Support You...

HR support isn't just about contracts and compliance (although we love that stuff too). Here are a few services we offer that clients don't always know about:

- **In-House Staff Training**

From management development to specific topics like handling difficult conversations or preventing harassment, we deliver tailored training sessions directly to your team – helping build confidence and consistency across your business.

- **Employee Surveys**

Understanding how your people really feel is one of the most powerful tools you have. We design and run employee surveys to help you measure engagement, culture and satisfaction, and turn the results into a clear action plan.

- **Whistleblowing Line**

An independent, confidential channel gives your employees a safe way to raise serious concerns – and gives you an early warning system for issues before they escalate. We can help you set this up and manage it on your behalf.

What our client said:



"We wanted to ensure we met the compliance expectations of a major broadcaster while also providing meaningful support to the people working with us. In the TV industry, working patterns can be unpredictable, with long hours, changing schedules and project-based assignments. The whistleblowing service gives individuals a confidential and independent route to raise concerns, seek guidance and feel supported whenever they need it."

Thank you

Thank you for reading this month's HR Hub. October is a genuinely significant month for employment law, but you don't have to navigate it alone.

Whether you need help updating policies, training your managers, reviewing your probation process, or just talking through what these changes mean for your business, the whole CE People team is here to help.

Connect with us...

→ Connect with us on [LinkedIn](#), [Instagram](#) or email us at enquiries@ce-people.co.uk.