

HR UPDATE

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WELCOME

Hi and welcome to the latest newsletter.

After the usual chaos of the summer holidays, September always feels like a bit of a reset. The kids are back at school, diaries are filling up again and, for many businesses, it's time to get back into the swing of things after a slightly different pace over the summer.

It's been a busy few weeks in the world of HR too, with more Employment Rights Act changes on the horizon, new guidance to get to grips with and plenty for employers to start preparing for ahead of October and beyond.

In this edition, I've rounded up some of the key updates, including changes to tribunal time limits, new trade union rights, workplace harassment duties and a few wider HR stories that are worth having on your radar. As always, the aim is to keep things clear, practical and useful, without adding to the noise. If I can help you or your business at all, please get in touch.

I hope September is treating you well and that you're starting to find your groove again after the summer.

All the best,

Claire



COMING SOON

Are you ready for the new trade union access rights?

If you've never had much involvement with trade unions, changes coming this Autumn are worth knowing about. From 30 October 2026, subject to Parliamentary approval, new workplace access rights for independent trade unions are due to come into force.

For employers with 21 or more workers, a union will be able to formally request access to the workplace to meet, support and communicate with workers. This could be physical access, digital access or a combination of both.

Employers will have 15 working days to respond to a request and, where the parties enter into negotiations, there will then be 25 working days to try to agree the arrangements. If an agreement can't be reached, either party can ask the Central Arbitration Committee [CAC] to step in and decide whether access should be granted and, if so, what the arrangements should look like.

Another change had originally been expected at the same time: a new duty on employers to give workers a written statement explaining their right to join a trade union. However, on 25 September, the Government confirmed that this has been delayed. It is now expected to come into force between December 2026 and January 2027. The Government has also now confirmed more detail about how the written statement will work, with further regulations needed before the new duty takes effect.

What can you do now?

Keep an eye out for the final guidance on the written statement, think about who would deal with an access request if one arrived and make sure your managers know that the rules are changing.

You don't need to become a trade union expert overnight, but having a clear process in place will make things much easier if a request lands on your desk.

If you'd like help understanding what the changes mean for your business, get in touch.

Employment tribunal time limits are doubling



From 1st October 2026, the time limit for bringing most employment tribunal claims increases from 3 months minus 1 day to 6 months minus one day.

For employers, this means workplace issues could remain live for considerably longer than before.

Employees will have more time to reflect on what has happened, take advice and decide whether to bring a claim. Acas Early Conciliation can extend the overall timescale further too. The change applies where the relevant tribunal time limit starts on or after 1st October 2026.

It makes good documentation even more important. If you're dealing with a performance issue, grievance, disciplinary process or dismissal, make sure decisions are clear, conversations are recorded and the correct process is followed.

A rushed process or undocumented conversation can be difficult enough to defend three months later. Six months later, it can be even harder to remember exactly what happened.

If you're unsure whether your processes and documentation would stand up to scrutiny, we can help you review them.



**1 in 5****businesses aren't providing enough harassment training**

Changes to workplace harassment law come into force on 30th October 2026, increasing the responsibilities employers have to prevent harassment at work. There are two important changes.

1. Employers will be required to take "all reasonable steps" to prevent sexual harassment, strengthening the existing duty to take reasonable steps.
2. Employers can also be liable for harassment carried out by third parties, such as customers, clients or contractors, where they have failed to take all reasonable steps to prevent it.

This means having a policy is unlikely to be enough on its own. Employers need to be able to show what they are actively doing to reduce the risk.

Recent research involving 985 HR professionals found that one in five businesses had not provided managers with sufficient training around the new requirements. Source: [VinciWorks](#).

So, what should you be looking at?

- Is your harassment policy up to date and does it cover third party harassment?
- Have employees read and understood it?
- Are managers trained to recognise concerns and respond appropriately?
- Do employees know how and where to report an issue?
- Have you considered where the risks are within your workplace?
- Could you evidence the steps you've taken if you were asked?



If you've spotted gaps, now is the time to address them rather than waiting until something happens. We can help with harassment reviews, policies and staff training ahead of the October changes.

LATEST NEWS

1,500 people a day are leaving work to become unpaid carers

New research from [Carers UK](#) estimates that 1.1 million people have left employment to care for someone in the last two years, equivalent to more than 1,500 people every day. One in five UK workers is now balancing employment with caring responsibilities, with many reporting reduced hours, missed opportunities or moving jobs as a result.

For employers, it's another reminder of the difference that supportive management and genuine flexibility can make when somebody's circumstances change.

LATEST NEWS

Poor mental health among UK workers has risen sharply

More than one in five UK workers are now experiencing poor mental health, according to new research from the Mental Health Foundation, with the number affected increasing by 66% since 2009.

One in six workers also says their job leaves them stressed or unhappy most or all of the time.

It reinforces the importance of looking beyond standalone wellbeing initiatives and considering workload, management, flexibility and whether employees feel able to speak up when they're struggling.

Guaranteed hours for zero hour workers are on the way

The government has been consulting on new rights for zero-hours and similar workers, including guaranteed hours based on the hours they regularly work, reasonable notice of shifts and payments where shifts are cancelled or changed at short notice.

The consultation has now closed and the measures are expected to be introduced in 2027, although the final detail and implementation date are still to come.

Businesses relying heavily on casual or flexible staffing should keep an eye on this one, as the final rules could have a significant impact on workforce planning. We'll be back with more information on this one.

Is your employees' use of AI leaving your business exposed?

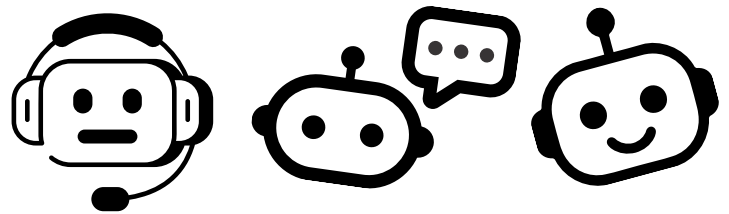
There's a lot of noise around AI at the moment: what it can do, what it means for jobs, what it could mean for our future and even the impact it's having on the planet.

But there's a much more immediate question for employers: Do you actually know how your employees are using it at work?

AI tools can be incredibly useful, but without some boundaries in place they can create risks for your business.

One of the biggest is data protection. If an employee copies client information, employee data or confidential business information into an AI tool; that data is being shared with a third-party system.

What happens to it next will depend on the tool, account and settings being used.



Then there's accuracy. AI can produce very convincing answers that are also completely wrong. If something is being sent to a client, used in a calculation or relied on to make a business decision, somebody still needs to check it.

There are also wider questions around confidentiality, intellectual property and what employees should or shouldn't be using AI to produce.

You don't necessarily need to ban AI. In most businesses, that's unlikely to be realistic or particularly helpful. But you absolutely should have some rules. A practical AI policy should make clear which tools employees can use, what information must never be entered, when AI generated work needs to be checked and how it should be used for client work.

If your team is already using AI but your policies haven't caught up yet, we can help you put something practical in place.

**LATEST NEWS****Which Employment Rights Act changes are worrying employers most?**

There have been a lot of changes in the world of HR recently. Acas research suggests that Statutory Sick Pay changes, unfair dismissal reform and new paternity leave rights are among the Employment Rights Act measures employers expect to have the biggest impact on their businesses.

Some of those changes are already in force, whilst others, including the reduction of the unfair dismissal qualifying period to six months, are still to come (January 2027).

With so many changes being introduced in stages, it's a good time to check that your contracts, policies and everyday processes haven't been left behind.



QUESTIONS & ANSWERS

Top HR Questions

Do I have to tell my employees they can join a trade union?

Not yet, but a new legal duty is coming. The Government had originally planned to introduce this requirement in October 2026, but it has now been delayed and is expected to come into force between December 2026 and January 2027.

Once the new duty takes effect, employers will be required to give workers a written statement informing them of their right to join a trade union. The exact content and format will be set out in regulations. We'll keep you updated when we know more.

An employee left 5 months ago. Can they still take me to tribunal?

Possibly, but for many claims they may already be out of time.

Currently, most tribunal claims must be brought within three months minus one day. From 1 October 2026, this increases to six months minus one day, but only where the event starting the time limit happens on or after that date. Remember, Acas Early Conciliation can pause the clock, so never assume a claim is out of time without checking the dates carefully.





QUESTIONS & ANSWERS

Continued

What are my obligations if an employee asks for adjustments because of menopause symptoms?

Menopause isn't a standalone protected characteristic under the Equality Act, but symptoms can amount to a disability if they have a substantial and long-term effect on day-to-day activities.

If they do, you have a duty to make reasonable adjustments. Even where symptoms don't meet that threshold, handling requests dismissively could lead to claims under sex or age discrimination.

Take the conversation seriously and explore what adjustments are practical.

What counts as "all reasonable steps" to prevent harassment?

From October 2026, "all reasonable steps" is the new legal standard employers must meet to prevent sexual harassment at work, replacing the current "reasonable steps" duty.

In practice it means having an up-to-date policy that covers third-party harassment, records showing that staff have read and acknowledged it, documented training, a clear reporting process and a written risk assessment for higher-risk roles or environments. The key is evidence. You need to be able to show that you acted proactively, not just that a policy existed somewhere.

It's also worth knowing that from October 2026, a separate new duty makes employers directly liable for harassment by third parties like customers, clients and contractors, across all protected characteristics. The same evidence base covers both.

Can I change an employee's working hours without their agreement?

Generally, no. If hours are set out in the employment contract, changing them without agreement is a breach of contract and could give rise to a constructive dismissal claim. You need to consult, explain the business reason and try to reach an agreement.

It's also worth knowing that new fire and rehire rules, expected to come into force in January 2027 under the Employment Rights Act 2025, will make dismissing someone for refusing a contract change automatically unfair in most cases.

If you're thinking about changing terms and conditions, take advice first.

Do I have to give a reference if a former employee asks for one?

In most cases, no. There's no general legal obligation to provide a reference in the UK, with limited exceptions in some regulated sectors such as financial services.

However, if you do provide one, it must be accurate and not misleading. A reference that's factually wrong or unfairly negative could give rise to a negligent misstatement claim.

Most employers are best placed sticking to a basic factual reference covering job title, employment dates and, if appropriate, a brief summary of the role.

If you're considering declining to give a reference or have concerns about what you can say, it's worth taking advice before you respond.

