

# Monday Morning Dispatch

YOUR WEEKLY EMPLOYMENT LAW NEWSLETTER FROM CHADWICK LAWRENCE

Coming up  
this  
week...

- Making the headlines this week, we share an [update on 'Day One' Unfair Dismissal Rights](#), with proposals to reduce the [qualifying period from two years to six months](#).
- In The Legal Alternative, Sam & Nils discuss health & safety prosecutions and a Wetherspoons dismissal case which highlights the importance of appeals.
- Daniel's second video on reasonable adjustments explores a case example of a social care worker who requests ten minute breaks each hour to minimise the impact of a physical condition.
- Keep an eye out for our Seminars & Events programme 2026 which will be released shortly!

## In the News



### 'Day One' Unfair Dismissal Rights Scrapped: What Employers Need to Know



As promised, we want to update you on a significant development regarding the Employment Rights Bill.

### **What was Originally Proposed?**

The Bill initially aimed to abolish the two-year qualifying period for unfair dismissal claims and replace it with “day one” rights. This would have meant employees could claim unfair dismissal from the moment they started work.

To balance this, the government proposed introducing a statutory probation period, known as the Initial Period of Employment (IPE), which was likely to last around nine months.

### **Why the Change?**

This proposal faced strong opposition from many employers and significant pushback in the House of Lords, causing delays. Specifically, the government was concerned that this could derail other planned reforms, such as day one rights to Statutory Sick Pay and Paternity Leave, scheduled to be implemented on 6<sup>th</sup> April 2026.

### **The New Compromise**

After “*constructive conversations between trade unions and business representatives*”, the government made an announcement on 27<sup>th</sup> November, stating:

- The qualifying period for unfair dismissal will be cut from two years to **six months** - the lowest since the late 1970s.
- Plans for a statutory probation period have been scrapped.
- The compensation cap for unfair dismissal claims will be lifted.

Currently, compensation for ordinary unfair dismissal claims is capped at one year’s pay or £118,223 (whichever is lower). For the avoidance of doubt, this cap does not apply to automatically unfair dismissal claims (e.g. discrimination).

However, it is still unclear whether “*lifted*” means the cap will be increased, removed entirely, or adjusted in another way.

### **Takeaways for Employers**

- Review recruitment processes to ensure robust hiring decisions.
- Invest in manager training to handle underperformance effectively during probation.
- Prepare for greater exposure to unfair dismissal claims after six months of service.

### **What’s Next?**

The next debate on the Employment Rights Bill is scheduled for 8<sup>th</sup> December 2025 in the House of Commons, and we will ensure to keep you updated as more details emerge.

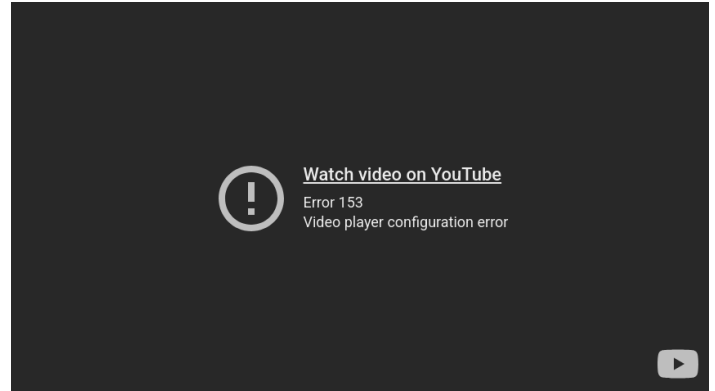
*For any queries, please do not hesitate to contact us at [boxhr@chadlaw.co.uk](mailto:boxhr@chadlaw.co.uk).*



## 22. Health & Safety Prosecutions and The Importance of Appeals: Wetherspoons Dismissal Case

In this episode, Sam & Nils discuss what you should do if the HSE (Health & Safety Executive) investigates or prosecutes you, and also a Wetherspoons dismissal case which highlights the significance of the appeal process in disciplinary actions.

🌐 22. Health & Safety Prosecutions and The Importanc...



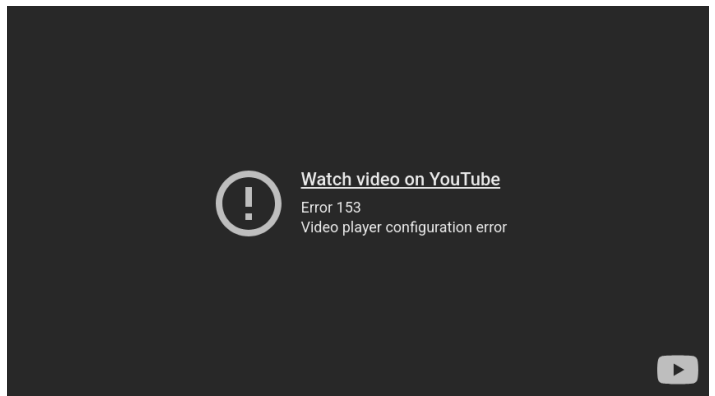
## The Media Hub



### Reasonable adjustments part two - case study on breaks

In this video, we apply the guidance on reasonable adjustments to the case example of a social care worker who requests ten minute breaks each hour to minimise the impact of a physical condition. We apply the EHRC factors to be taken into account in determining the reasonableness of this request.

🌐 Reasonable adjustments part two - case study on bre...



## Upcoming Events



### Seminars & Events 2026

## Sign Up to Future Events

Our 2026 Employment Law Seminars & Events Programme will be released shortly.

Keep an eye on our website:

[www.chadwicklawrence.co.uk/seminars/business-services-seminars/](https://www.chadwicklawrence.co.uk/seminars/business-services-seminars/)



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