

Monday Morning Dispatch

YOUR WEEKLY EMPLOYMENT LAW NEWSLETTER FROM CHADWICK LAWRENCE

Coming
up this
week...

- Sam & Nils discuss ongoing UK immigration law changes following the latest Statement of Changes, and explore the use of AI within the judiciary.
- Daniel explores 'fire and rehire', including the new protections under the Employment Rights Bill against unfair dismissal where employers attempt to impose contract changes through termination, re-engagement, or replacement of employees.
- Our article this week summarises the key updates to the Employment Rights Bill, following our Employment Law Update seminar the other week.
- Join the waiting list for our Mock Tribunal below!

The Legal Alternative Podcast



20. UK Immigration Law Changes & The Use of AI within the Judiciary

This week, Sam & Nils discuss ongoing changes to UK immigration law, focusing on the latest Statement of Changes issued on 14th October and related government announcements. Prompted by a recent speech by Master of the Rolls, Sir Geoffrey Vos, on the potential use of AI in the judiciary, Sam discusses implications for access to justice and decision-making.



🌐 20. UK Immigration Law Changes & The Use of AI with...

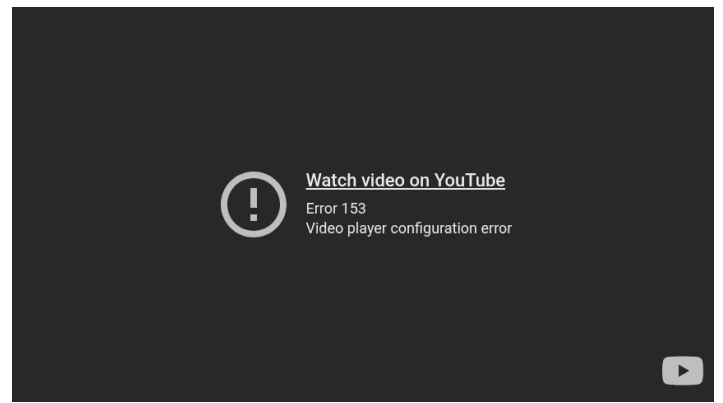
The Media Hub



Fire and Re-hire - Part One

In this video, we explore the protections which will be afforded to employees under the Employment Rights Bill in relation to employer's attempts to make variations to the contract of employment. We discuss the concept of automatic unfair dismissal in relation to attempts to impose changes on employees by terminating employment and offering re-engagement, or by replacing employees with other individuals.

🌐 Fire and Re-hire - Part One



In the News



Employments Rights Bill - Summary of Changes



On the 10th of October 2024, The Employment Rights Bill was introduced in the House of Commons, where it has undergone scrutiny in both the Commons and the House of Lords, and currently in the September-October 2025 period, both houses' amendments are being considered.

Policy measures are set to be introduced in phases.

Measures to be introduced shortly following royal assent:

Repealing most of the Trade Union Act 2016

- Removing the special threshold for industrial action ballots.
- Removing the additional requirement for "important public services".
- The notice period for strikes will be 10 days instead of 14 days.
- A union ballot will be valid for 12 months rather than 6 months.

There will likely be an increase in industrial activity and more active collective bargaining.

Repealing of the Strikes (Minimum Service Levels Act 2023)

- Employers will no longer be able to issue "Work Notices" in key public services.

The government has advised employers to "seek alternative mechanisms for dispute resolution, including voluntary agreements, rather than imposing minimum service levels". In addition, employers are prohibited from recruiting agency staff to cover striking workers.

Protections against dismissal for taking industrial action

- There will be no more 12-week limit on protections against dismissal for partaking in industrial action.

Dismissals should not be related to industrial action.

April 2026

Collective redundancy protection award

- The Protective Award will be increased to a maximum of 180 days gross pay instead of 90 days.

Employees are more likely to pursue legal claims if their employer does not comply with the legal obligations around a collective redundancy. There will also be a higher financial risk for businesses that fail to comply, and there may be a large impact on small to medium sized enterprises.

Day 1 Paternity Leave and Unpaid Parental Leave

- There will no longer be a 26-week minimum service requirement for Paternity Leave.
- There will no longer be a 1 year for Unpaid Parental Leave.

There may not be a big impact, as Parental Leave is only 2 weeks and Unpaid Parental Leave has also a short duration and is not a paid right. Employers should still however take note.

Whistleblowing protections

- Sexual harassment complaints will be included as a form of whistleblowing.

Employers should ensure their contracts, settlement agreements and other policies comply with the new rules.

Statutory Sick Pay

- There will no longer be a requirement to earn £125 to be eligible for SSP.
- SSP will be paid from the first day of illness instead of having 3 unpaid 'waiting days'.

Employees on low wages, part-time contracts or who have irregular hours will now be eligible.

October 2026

Fire and Rehire

- It will be unfair dismissal if an employee is dismissed for the purpose of being offered re-engagement on different terms.
- The only exception will be that the employer can show both that the reason was to prevent/mitigate financial difficulties and that they could not avoid the variation.

An employer can only rely on the exception to avoid liability.

Employers must take "all reasonable steps" to prevent sexual harassment of their employees.

- There is no longer an anticipatory duty, and the bar will be raised.
- Regulations will list certain steps that are to be regarded as reasonable.

It will be more difficult for employers to defend a sexual harassment claim.

Obligation on employers not to permit the harassment of their employees by third parties.

- This will bring back the rule from Section 40 of the Equality Act 2010

Further policies, risk assessments, reporting and investigation procedures will need to be implemented by employers.

Employment tribunal time limits

- The time limit will increase from 3 months to 6 months

There will be more time for an employee to bring a claim against their employer and as a result, an employer may experience a higher number of complaints.

2027

Gender pay gap and menopause action plans

- Employers with 250+ employees are to publish annual gender equality action plans.
- This will include measures to address the gender pay gap and support employees through menopause and menstruation.

Employers will need to review their existing policies, introduce new channels and ways of implementation.

Rights for pregnant workers

- It will be unlawful to dismiss a pregnant employee or one returning from maternity within 6 months

- Except in limited circumstances (e.g. gross misconduct)

The bar for lawful dismissals will be significantly raised.

Collective redundancy

- A collective redundancy consultation will be required where the employer proposes 20 or more redundancies at one establishment
- OR if the employer proposes a number of redundancies across the employer's own organisation.

Statutory collective consultation could be triggered by small numbers of unconnected redundancies across different sites if they happen within a rolling 90-day period.

Flexible working

- An employer's refusal of flexible working will have to be "reasonable".
- There must be an explanation.
- The decision-making process must be put in writing to the employee.

Employers should review their current flexible working policy.

Day 1 right protection from unfair dismissal

- There will be no more two-year qualifying period.
- There is a proposal for a 9-month qualifying period.

Contractual probationary periods will need to be aligned with the new statutory probation period.

Upcoming Events



Seminars & Events Autumn/Winter 2025

Mock Tribunal Event: Disability Discrimination & Flexible Working



TIME

8:30 AM – 12:00 PM

LOCATION

Weetwood Hall Estate, Leeds, LS16 5PS



🌐 Mock Tribunal Event

Contact Us



For questions, feedback, article ideas, or story contributions, email boxhr@chadlaw.co.uk and we'll be in touch.

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