13 JULY 2026

Monday Morning Dispatch

YOUR WEEKLY EMPLOYMENT LAW NEWSLETTER FROM CHADWICK LAWRENCE LLP

Coming up this week...

- This weeks article explores unfair dismissals and probation periods amidst changes to the Employment Rights Act coming into play in January

The Legal Alternative Podcast

The Legal Alternative will be back next week, we are looking to introduce a monthly *special guest episode* which we hope to start rolling out in September.

If you have a topic you would like to discuss or fancy a spot on the pod please reach out to emilyshepherd@chadlaw.co.uk



In the News

Unfair dismissal rights from 1 January 2027: what employers should do now to prepare





From 1 January 2027, the qualifying period for which an employee is able to bring an unfair dismissal claim is set to change from 2 years to 6 months. A key point employers should note is that this change will apply retrospectively and therefore any employee in a company that has 6 months service as of the 1 January 2027 will be eligible to bring a claim for unfair dismissal.

The change will substantially narrow the window in which employers can assess suitability without the risk of an unfair dismissal claim. Where previously the employer had 2 years in which they could dismiss an employee without needing a reason, as of January any employee with 6 months service will only be able to be dismissed through a fair reason having followed a fair process. Employers should therefore review recruitment, onboarding, probation and performance management processes well before the new legislation comes into effect.

The importance of probationary periods

Probationary periods will become an even more important risk-management tool as following the probationary period it is likely that the employee will shortly have a right to unfair dismissal. Therefore, it's important that during the initial six-month period employers identify issues, give feedback, allow improvement, hold a final review and terminate employment before unfair dismissal protection is engaged.

Employers should consider whether a shorter initial probationary period, for example three or four months with a contractual right to extend, would provide better flexibility. This would allow the employer to see how an employee acts when they are no longer under review before their right to unfair dismissal comes into effect.

Employers should also avoid treating probation as a tick-box exercise. Managers should be trained to use probation reviews actively, through keeping a record, consistently having probation meetings and ensuring that any issues are identified and dealt with early in the course of employment. If concerns are left until the final week of probation, the employer may have very limited room to act safely.

Why having clear and easily accessible processes in place is more important than ever

Employers should also be prepared for an increased need to follow formal processes. In circumstances where employers may previously have been able to terminate employment without requirement for a process, now a fair reason for dismissal found through a fair process will be required for any employee with 6 months service. It's important to note that this period is when most employers would tend to rely on short termination as they find that as an employee becomes more comfortable, issues may start to form.

Employers should therefore review their policies now to ensure they are up to date with current legislation, drafted in clear and unambiguous terms, and are easily accessible to both managers and employees.

Consider the notice period

It's important for employers to factor in both contractual notice and statutory minimum notice to the 6 month period. Once an employee has been employed for at least one month, they are usually entitled

to at least one week's statutory notice, unless they are dismissed summarily for gross misconduct.

This means employers should not assume they can wait until the day before the six-month point to act. Where notice carries the effective termination date beyond six months' service, the employee may have acquired unfair dismissal protection. Probation review meetings and any decision-making process should therefore take place early enough to allow the employer to act lawfully and within the relevant time frame.

In conclusion, it's important that employees are utilising probationary periods as failure to do so could result in the requirement for a time-consuming process or alternatively an employment claim. If you would like any further information as to how you can improve your probationary periods and ensure that your policies are up to date, please get in contact with us at Chadwick Lawrence.

Upcoming Seminars & Events



We are currently in the process of planning our next programme of seminars, which we expect will begin in September. In the meantime, we would really value your input...

If there are any topics you would like us to cover, please let us know!

Your feedback and suggestions are invaluable in helping us deliver insightful, practical content that is accessible, so please don't hesitate to get in touch.

Email emilyshepherd@chadlaw.co.uk or find us on LinkedIn.

Mental Health Awareness Sessions

We're partnering with Tailored Learning Solutions to offer two day, in person, accredited Mental Health First Aid courses at our Wakefield office.

Accredited by MHFA England® and the Royal Society for Public Health, MHFAiders will improve knowledge and develop skills to support someone who may struggling and what to do with crisis support.

MHFA 2 day (all day events) - £300 +VAT pp.

29/30 APR | **1/2** JUL | **30/1** SEPT/OCT

(Includes 3 year membership to the Associate for MFAiders, 3 years access to the MHFA Support App, Immediate wellbeing support via SHOUT charity, Quarterly Webinars and optional Level 3 OfQual Examination accredited with the Royal Society for Public Health)

🔗 More info on MHFA and ND courses can be found here:
https://www.tailoredlearningsolutions.co.uk/mental-health-first-aid

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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