HR & EMPLOYMENT LAW INSIDER: YOUR MONTHLY UPDATE

September 2026

HR
Solutions

Contents

RECENT AND FUTURE CHANGES
RECENT CHANGES:

GET READY FOR 1 OCTOBER 2026

The next round of employment reforms is due next month (read our 'Future Changes' section). In readiness, we've had Commencement Regulations passed confirming the date the increase in time limits for making tribunal claims comes into effect, which is 1 October 2026 (9 November in Scotland).

So, what does this mean for your business?

- The window of exposure to claims will be extended impacting HR practices, risk management, record keeping and document retention periods.
- A former (or existing) employee has half a year after a dismissal, resignation, or workplace dispute to reflect, seek legal advice, and act.
- Factoring in mandatory Acas early conciliation, which pauses the time limit, claims can easily emerge 8 to 9 months after the event.
- More time allows claimants to build stronger, better-documented cases, which raises the bar for the defence.
- Line managers and colleagues may struggle to recall specific details, dates, or verbal conversations that occurred 6 to 9 months previously and so witness credibility reduces over time.
- Key witnesses, such as HR representatives or direct managers who handled a disciplinary, might leave the business before a claim is even notified, making an employer's defence harder.
- Although this reform brings new challenges, it has one significant positive - extra time to fully exhaust internal grievance procedures and pursue mediation, offering the business extra time to resolve or settle without the employee feeling forced to lodge a tribunal claim.

This reform is one of several coming into force October (the rest are at the end of October). See further below.

RIGHT TO WORK CHECKS ARE CHANGING

This month, the Home Office laid before Parliament a statement of changes of the UK Immigration Rules, which confirm significant changes for how employers recruit and employ non-UK nationals lawfully from October 2026. Additionally, a draft updated Code of Practice on Preventing Illegal Working has been published.

The changes are introduced by the Border Security, Asylum and Immigration Act 2025, with some coming into effect from 1 October. For instance, from 1 October, the expansion of the right to work regime will go beyond traditional employers hiring under contracts of employment to include organisations operating through labour supply chains, subcontracting arrangements, consultancy models, gig economy arrangements and online platforms.

The draft Code says that obligations will apply to:

- Organisations directly engaging individuals under contracts of employment, worker contracts, or as individual subcontractors.
- Businesses who have a contract to provide work or services to a third party and enter into a contract with another employer who employs the workers to carry out all or part of the work or services required to fulfil that contract.
- Businesses engaging an individual to provide work or services and that contract permits the individual to substitute their work or services to be carried out by another person in their place.
- Operators of online matching platforms that connect workers with clients or customers.

It does not cover individuals who are genuinely self-employed, operating in business on their own account, trading in their own name or as part of their own business, who contract directly with clients or customers for the provision of work or services. It also does not extend the end-user's liability to agency workers. They will remain the responsibility of the agency who must carry out the right to work checks.

DEFINITION OF REGULATED ACTIVITY UPDATED

The Crime and Policing Act 2026 (Commencement No 2) Regulations introduced this month have removed the supervision exemption from the definition of 'regulated activity'.

From 1 September, unpaid activity such as teaching, training, instructing or caring for and supervising children is a regulated activity if it is carried out on more than three days in a 30-day period. Plus, it includes overnight, irrespective of supervision.

Consequently, employers must now obtain enhanced criminal record certificates (ECRC) and a children's barred list check for those who fall in scope of this new expanded definition.

THE RENAMING OF THE ICO

Effective from 30 September 2026, the Information Commissioner's Office (ICO) will become the Information Commission. This is as a result of the Data (Use and Access) Act 2025 which introduced changes to its governance structure.

FUTURE CHANGES

NEXT ROLL OUT OF REFORMS DUE NEXT MONTH

The next phase of the roll out of employment reforms is next month. The changes coming in are huge and will require employers to make significant adaptions to current HR practices.

1. Employment tribunal time limits extending to 6 months in England and Wales from 1 October (Scotland expected 9 November).
2. Establish the Fair Pay Agreement Adult Social Care Negotiating Body in England (negotiations start April 2027 with first official agreement coming into effect April 2028)
3. Re-introduce School Support Staff Negotiating Body (negotiated outcomes expected to take effect from 2027/28 financial year)
4. Employers to take 'all reasonable steps' to prevent sexual harassment of their employees
5. Employers not to permit the harassment of their employees by third parties
6. Introducing a power to enable regulations, that specify steps that are to be regarded as reasonable to determine whether an employer has taken all reasonable steps to prevent sexual harassment (the actual steps to specify what is to be regarded as reasonable is due in 2027)
7. Introducing a new duty to inform workers of their right to join a trade union
8. Statutory right for Trade Unions to request workplace access (digital and/or physical)
9. Strengthen trade unions' right of access
10. Unfair practices in the trade union recognition process
11. New rights and protections for trade union reps
12. Extending protections against detriments for taking industrial action
13. Protections from two tier procurement reinstated

REMINDER - ARE YOUR CONTRACTS, POLICIES AND HANDBOOK UP TO DATE?

With the unfair dismissal qualifying rules changing in January, employers must ensure their contract template is fit for purpose now, so that those you recruit from this point on can be managed in line with these new rules safely. Many processes will also need reviewing to ensure the business continues to comply with the latest employment reforms.

LEGISLATION – BY IMPLEMENTATION DATE

2026

1 October 2026 – Employment Rights Act 2025

Employment tribunal time limits extended from 3 months to 6 months

30 October 2026 – Employment Rights Act 2025

- Establish the Fair Pay Agreement Adult Social Care Negotiating Body in England
- Requiring employers to take 'all reasonable steps' to prevent sexual harassment of their employees
- New obligation on employers not to permit the harassment of their employees by third parties
- Introducing a power to enable regulations, that specify steps that are to be regarded as reasonable to determine whether an employer has taken all reasonable steps to prevent sexual harassment (the actual steps to specify what is to be regarded as reasonable is due in 2027)
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- Strengthen trade unions' right of access
- Unfair practices in the trade union recognition process
- New rights and protections for trade union reps
- Extending protections against detriments for taking industrial action
- Two tier procurement

30 October 2026 - Trade Unions (Right to Access Workplaces) (Required Information) Regulations 2026

These Regulations implement the reforms in the Employment Rights Act 2025 regarding the new statutory right for trade unions to access workplaces.

Immigration (Restrictions on Employment and Residential Accommodation) (Prescribed Requirements and Codes of Practice) (Amendment) Regulations 2026

It has been confirmed that in October, the 'Immigration (Restrictions on Employment and Residential Accommodation) (Prescribed Requirements and Codes of Practice) (Amendment) Regulations 2026' come into force. These Regulations make amendments in relation to employment checks which employers are legally required to carry out to verify a person's immigration status to be excused from liability for a civil penalty for employing individuals without valid immigration status.

The Regulations when introduced, will widen employers' duties beyond traditional employment to cover other types of working arrangements as well as update the rules for digital identity verification services.

End of 2026

Changes to the obligations to consult and communicate policy on the allocation of tips

Tightening tipping law by requiring employers to consult with workers to ensure fair tip allocation

Amendment to the Seafarers Wages Act 2023 (expected December 2026)

The Employment Rights Act 2025, section 56, scheme 5 strengthens workers' rights at sea in relation to wages, terms and conditions of employment or engagement and working conditions.

New regulatory framework to bar NHS managers for misconduct (mid-late 2026/early 2027)

Legislation to introduce a new regulatory framework for NHS managers is expected in 2026. The framework will establish a statutory barring system for board-level directors who commit serious misconduct, with new powers granted to the Health and Care Professions Council to disbar senior leaders. The regulations aim to prevent managers found guilty of misconduct from taking other NHS roles and include specific protections for whistleblowers.

Children's Wellbeing and Schools Act 2026

It is expected that this Act will be phased in over time, with potentially some changes coming in before the end of this academic year and the bulk of change in September.

2027

1 January 2027 - Employment Rights Act 2025

- 6-month qualifying service for ordinary unfair dismissal protection
- Removal of the compensatory cap.
- Dismissals connected to an employer seeking to vary an employee's contract, but the employee does not agree will be automatically unfair

January 2027 - Employment Rights Act 2025

- Gender pay gap and menopause action plans to become mandatory
- Enhanced dismissal protections for pregnant workers, and those on and returning from family leave
- Specifying steps that are to be regarded as 'reasonable', to determine whether an employer has taken all reasonable steps to prevent sexual harassment
- Updated rules relating to protections from blacklisting due to trade union membership or activity
- Industrial relations framework
- Changes to the threshold for when collective redundancy consultation applies
- Enhanced redundancy protections against dismissal or redundancy
- An employer's reason for refusing a flexible working request must be reasonable
- A new statutory entitlement to bereavement leave, including pregnancy loss
- The regulation of umbrella companies
- Right to guaranteed hours and the right to reasonable notice and short notice payments
- Electronic and workplace balloting for recognition and derecognition ballots
- Provision of information relating to outsourced workers, a requirement for private and voluntary sector employers with at least 250 employees in Great Britain, and public authorities, to publish information about the service providers that they contract with for outsourced services.
- Extends the scope of the Employment Agencies Act 1973 to cover other types of business, such as umbrella companies, that participate in arrangements under which people are supplied by their employer to work for other people or organisations.
- Non-disclosure agreements (NDAs) and confidentiality provisions in employment making void a contractual provision that purports to preclude a worker from making an allegation or disclosure about relevant harassment or discrimination (or an allegation or disclosure relating to the employer's response).

April 2027 - Mandatory Payrolling Benefits

From April 2027, all employers will be required to payroll benefits in kind. A P11D will still be required for the tax year 2025/26 and 2026/27, but from 2027/28 onwards, it will be mandatory for benefits to be payrolled. Until such time, it continues to be voluntary, and we expect draft legislation and guidance to be provided in due course. The Government have published a timeline in preparing for this change, available here.

Date to be confirmed (must be by June 2027) - The Terrorism (Protection of Premises) Act 2025 (Martyn's Law)

This Act received royal ascent on 3rd April 2025 however the regulator (Security Industry Authority - SIA) have said that there will be at least 24 months required in preparing for the law to come into force.

In the meantime, premises and events seeking advice on preparing for Martyn's Law should continue to look for Home Office updates. They can also access free technical guidance and operational advice on protective security on the government partner websites of the National Protective Security Authority and ProtectUK.

2028

6 April 2028 – Pension age increase

The new normal minimum pension age will become 67 years from 2028, following the amendment to Part 4 of the Finance Act 2004 (pension schemes etc).

LEGISLATION DATE UNKNOWN

Pensions (Extension of automatic enrolment) Act 2023 (date to be confirmed)

This legislation removes the current age requirements for eligible workers to be automatically enrolled into a workplace pension. The current minimum age is 22 years, but this will be reduced to 18 years. No date has been set for when this legislation comes into force.

Sunday trading – Protection for shop workers

The right of shop workers to opt out of working Sundays on religious or family grounds is to be extended to any 'additional' hours above their normal hours which they may normally be obliged to work if requested. The duty of employers to advise workers of these rights is also to be extended.

The Enterprise Act 2016 contains provisions to strengthen certain aspects of the protections given under the Employment Rights Act 1996 specific to shop and betting workers. This Act received Royal Assent, i.e. became law on 4 May 2016, but the provisions making the Sunday working amendments have not yet been brought into force.

In addition, the amendments to ERA 1996 envisaged the making of regulations as secondary legislation to fill in the detail of how the revised legislation would work, and that secondary legislation has not yet been published, although the power to make it is in force. With a change in Government since this came into force, the current government have not given any indication that it intends to enact this legislation and so we have no precise indication as to when these changes will take effect, or if they will ever come into force.

Children and Social Work Act 2017 Whistleblowing – Protection for children's social care applicants

Section 32 of the Children and Social Work Act 2017 when it commences will allow the Employment Rights Act of 1996, s 49C to enable the introduction of regulations that prohibit relevant employers from discriminating against an applicant for a children's social care position because it appears that they have made a protected disclosure. At this time, draft regulations are yet to be published.

KEY EMPLOYMENT BILLS PROGRESSING THROUGH PARLIAMENT

Bullying and Respect at Work Bill

This private members Bill if passed, would introduce a statutory definition of bullying at work. In addition, it would make a provision relating to bullying at work that includes enabling claims relating to workplace bullying to be considered by an employment tribunal. It would also introduce a Respect at Work Code that would set minimum standards for positive and respectful work environments and give powers to the Equality and Human Rights Commission to investigate workplaces and organisations where there is evidence of a culture of, or multiple incidents of, bullying and to take enforcement action. The Bill had its first reading in the House of Commons on 21 October 2024 and the date of the second reading is due to be announced.

Company Directors (Duties) Bill

If passed, this Private Members' Bill, would amend section 172 of the Companies Act 2006 to require company directors to balance their duty to promote the success of the company with duties in respect of the environment and the company's employees. It is early in the process and currently waiting a date for the next stage which is its second reading.

The Domestic Abuse (Safe Leave) Bill

This Bill proposes to provide employees who are victims of domestic abuse with up to 10 days paid leave each year to support in dealing with the many challenges experienced when trying to leave the relationship. This is currently at the 2nd reading stage in the House of Commons and we are awaiting confirmation of when this will take place.

Equality (Race and Disability) Bill

We know through the Employment Rights Bill, that the Government are seeking to reform areas of equality relating to race and disability. A standalone Bill is expected to be launched following a period of public consultation, in which it will lead to:

- Introducing mandatory ethnicity and disability pay gap reporting, modelled on the existing gender pay gap framework.
- Extending equal pay rights to ethnic minority and disabled workers, allowing claims on contractual equal pay grounds.
- Potential establishment of a specialist enforcement or regulatory body to oversee compliance and coordinate action plans.

In the recent King's speech however, there was no mention of this Bill, so it is unclear of the next steps at this stage.

CONSULTATION AND GUIDANCE

CONSULTATIONS

OPEN CONSULTATIONS

Current open consultations, in order by closure date (ascending order)

Title	Purpose	How to participate	Deadline
Make Work Pay: Holiday pay compliance and enforcement	This consultation is seeking views on the proposed approach to holiday pay compliance and enforcement by the Fair Work Agency.	Online Email	22/09/26
Code of Practice on Disciplinary and Grievance Procedures	This new proposed draft Code introduces several key updates, all of which are designed to modernise workplace relations and accompany the changes in the employment landscape under the Employment Rights Act 2025.	Online Email	23/09/26
Make Work Pay: Revised tipping code of practice	This consulation invites all relevant parties and individuals to feedback on the updated Code of Practice.	Online Email	29/09/26
Workplace monitoring technologies	This new consultation seeks views on the Government's proposals to support the fair, transparent and responsible use of workplace monitoring technologies.	Online Email Post: Workplace monitoring technologies, Employment Rights Directorate Department for Business and Trade Old Admiralty Building Admiralty Place London SW1A 2DY	30/09/26

Equal Pay and pay discrimination	This consultation is seeking views on how equal pay and pay discrimination can be reformed	Online Email	27/10/26
Modernising corporate reporting	This consultation sets out the government's proposals to modernise the UK's corporate reporting framework, with the objective of supporting economic growth and strengthening the UK's international competitiveness.	Online	30/11/26
Welsh Government: Proposed apprenticeships specification	Consultation on the proposed Apprenticeships Specification Cymru (ASC), which would set the requirements for approved Welsh apprenticeships under section 115 of the Tertiary Education and Research (Wales) Act 2022.	Online	04/12/26

CLOSED CONSULTATIONS: RESPONSES BEING ANALYSED

Key consultations waiting formal response.

The following consultations are now closed. The relevant authorities are currently analysing the responses and will issue formal updates on next steps shortly. These findings will inform the development of future regulations and updated Codes of Practice.

- Artificial Intelligence, business and the future of the workforce
- Call for evidence on the 2014 Transfer of Undertakings (Protection of Employment) (TUPE) Regulations
- Call for evidence: data flows you can trust
- HSE: Consultation on proposals for the reporting of injuries, diseases and dangerous occurrences regulations 2013
- Low pay commission consultation 2026

Make Work Pay:

- Duty to inform workers of right to join a union
- Employment rights for unpaid carers and parents of seriously ill children
- Enhanced dismissal protections for pregnant women and new mothers
- Ending one-sided flexibility – reforms of zero hours and similar contracts
- Fire and rehire – changes to expenses, benefits and shift patterns
- Holiday pay compliance and enforcement
- Improving access to flexible working
- Leave for bereavement including pregnancy loss.
- Misuse of non-disclosure agreements (NDAs)
- Modernising the agency work regulatory framework
- Revised Tipping Code of Practice
- Threshold for triggering collective redundancy
- Migration Advisory Committee launches stage 2 Review of Temporary Shortage List
- Parental leave and pay review - call for evidence
- Strengthening seafarer protections

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- Time off for public duties
- Tribunal procedure committee: Possible amendments to the costs/expenses rules
- Welsh Government: Draft disabled people's rights plan 2025 to 2035
- Women and Equalities Committee Inquiry: Equality at work: Flexible working and disability
- Work and Pensions Inquiry: Employment support for disabled people
- Working in the UK - earned Settlement
- Working paper on options for reform of non-compete clauses in employment contracts.

GUIDANCE:

DO YOU USE ZERO-HOUR CONTRACTS?

If so, please be aware of new Government guidance in which it says how to use them, what employment rights are for these workers and alternatives to using them.

Zero-hour contracts can be used in a situation whereby the business is not required to offer work, and the individual is not required to accept work if offered ('worker' status, i.e. true casual worker). Or it can be where both parties are obliged in giving/accepting work ('employee' status), but there are no set hours; these are agreed in line with company procedures. Getting a person's employment status correct is critical, because it determines what employment rights they are entitled to.

DRAFT GUIDANCE: EMPLOYER'S GUIDE TO RIGHT TO WORK CHECKS.

Following on from our update regarding changes to immigration law, the Government has published its draft employer guide. Released 11 September, it updates previous guidance issued on 16 July and will come into force on 1 October 2026.

This guide is critical for all employers as it is a legal requirement to conduct right to work checks on all new starters.

CASE RULINGS

PEER INTERFERENCE AND FLAWED DISMISSAL PROCEDURES LED TO A £40K UNFAIR DISMISSAL

Brief Overview

In *Mr P Gregory v P&O Ferries Ltd*, a long-serving employee was dismissed following allegations of misconduct.

Paul Gregory, a customer service representative and union rep with 28 years of service and a clean disciplinary record, was accused by a junior female colleague of pulling her hair in a check-in booth and later whispering an offensive remark in her ear.

Mr. Gregory admitted to a playful touch of her hair after reminding her to keep it tied back per company policy but denied any malice or whispering offensive language.

The investigating manager initially concluded there was insufficient evidence for disciplinary action, recommending equality training and mediation, and assured Mr. Gregory his job was safe. However, after facing heavy pressure from senior managers who wanted a different outcome, the investigator repeatedly altered his report to conclude physical assault and intimidation, ultimately recommending a formal disciplinary hearing.

Mr. Gregory was not re-interviewed regarding the new allegations or evidence, key eyewitnesses were never questioned, and he was dismissed for gross misconduct in June 2023.

The Rulings

The Employment Tribunal ruled that Mr. Gregory was unfairly dismissed both procedurally and substantively, awarding him £40,807 in total compensation.

The tribunal's key conclusions included:

- The judge found that the investigating officer 'succumbed to unreasonable peer pressure' from colleagues who had not heard the evidence, rendering his altered findings 'unreliable and unsafe'.
- P&O Ferries failed to disclose internal emails revealing the management pressure placed on the investigator until specifically ordered to do so by the tribunal.
- The tribunal noted that no independent witnesses supported the allegations and that the employer gave undue weight to a complainant with known personal grievances while disregarding Mr. Gregory's 28 years of unblemished service.
- The employer failed to re-interview Mr. Gregory on new evidence, ignored key witnesses, and refused his request to question the investigating managers during his appeal hearing.

Learnings for Employers

- Never allow senior managers to pressure an investigating officer into changing their findings or recommendations to suit a preferred outcome.
- If an investigation uncovers additional evidence or expanded allegations, you must re-interview the employee to give them a fair opportunity to comment before moving to disciplinary action.
- Ensure that every colleague who was physically present during an alleged incident is interviewed, rather than relying solely on uncorroborated claims.
- Attempting to withhold internal communications or draft reports showing internal pressure will severely undermine your credibility before a tribunal.
- Telling an employee an investigation is closed and their job is safe, only to reverse course under management pressure, creates severe procedural unfairness.

The Employment Rights Act 1996 places a legal duty on an employer to first establish a potentially fair reason for dismissal (such as employee conduct). However, establishing a reason alone is insufficient; the employer must also demonstrate that they acted reasonably in all the circumstances in treating that conduct as a sufficient reason to dismiss.

In conduct-related dismissals, tribunals evaluate fairness using the established *Burchell* test (*British Home Stores Ltd v Burchell*), requiring the employer to prove:

1. They held a genuine belief that the employee committed the misconduct.
2. That belief was based on reasonable grounds.
3. At the time the belief was formed, they had carried out as reasonable an investigation as was appropriate in all the circumstances.

Furthermore, employers must follow the ACAS Code of Practice on Disciplinary and Grievance Procedures, any unreasonable failure to do so can increase the unfair dismissal award by up to 25%.

Both the investigation process and the ultimate penalty of dismissal must fall within the 'range of reasonable responses' open to a reasonable employer.

As demonstrated in the *P&O Ferries* case, failing to conduct an unbiased investigation, allowing senior management peer pressure to dictate findings, or refusing an employee the right of reply will cause a dismissal to fall outside this reasonable range.

Under current rules, compensatory awards for ordinary unfair dismissal are capped at one year's gross salary or £123,543 (whichever is the lower). While the following case illustrates notable exposure today, the picture shifts dramatically under the upcoming reforms when the statutory cap is removed.

WHY DISMISSIVE LANGUAGE AND INTERNAL EMAILS CAN SHOW VICTIMISATION

Brief Overview

Case *Miss I Scott v The Secretary of State for Justice*, demonstrates how dismissive comments from line managers and informal internal emails can lead to successful victimisation claims.

Miss Scott worked as a court usher at York County Court and suffered from antiphospholipid syndrome (APS), an autoimmune blood-clotting disorder requiring frequent blood-monitoring tests. She also suffered with anxiety and PTSD.

When she requested workplace adjustments to cover her medical appointments and blood tests through flexi-time, her line manager resisted, asking why she could not attend tests on her day off and stating it was 'ridiculous to expect the company to pay you to go to the doctor's'. When Miss Scott pointed out that without adjustments, she would owe more time purely because of her disability compared to a healthy person, her manager responded, *'You're not owed anything because of being poorly'*.

Tensions escalated after Miss Scott formally appealed an attendance warning and alleged disability discrimination. In internal emails, managers expressed frustration, noting that her mother was an employment rights solicitor ('well that explains a lot') and writing 'I know what we feel about [Scott]'. Later, when discussing how to record her sick leave, a senior manager emailed colleagues warning that an administrative error could give Miss Scott *'more ammunition for her complaints… what a nightmare!'*. Miss Scott subsequently uncovered these internal emails by making a Data Subject Access Request (DSAR).

The Rulings

The Manchester Employment Tribunal upheld Miss Scott's claims of victimisation under Section 27 of the Equality Act 2010, ordering the Ministry of Justice to pay £9,480 in compensation (£8,000 for injury to feelings plus £1,480 in interest).

The tribunal's key findings included:

- Referring to a serious medical condition as 'being poorly' trivialised her disability, while telling her she was 'not owed anything' improperly implied she was attempting to extract an unwarranted financial advantage. The tribunal found this remark was made because Miss Scott had previously raised concerns about disability discrimination (victimisation).
- The senior manager's 'more ammunition... what a nightmare' email diminished Miss Scott's standing among management by portraying her as someone building an unjustified case against her employer simply because she had raised complaints.
- The tribunal dismissed her other claims regarding reasonable adjustments to absence trigger points, noting that the employer had already provided significant support elsewhere, such as granting full-day paid disability leave for CBT counselling sessions.

Learnings for Employers

- Internal emails are not private. Employees can easily retrieve internal management exchanges via Data Subject Access Requests (DSARs) or tribunal disclosure, and hostile or disparaging comments will be used as direct evidence of victimisation.
- Avoid dismissive language like ‘being poorly’ or treating disability adjustments as employee favours or ‘unwarranted perks’. Managers must address adjustment requests objectively under company policy and in line with the Equality Act 2010.
- Employees who raise grievances, lodge appeals, or request reasonable adjustments are exercising protected legal rights. Labelling an employee as ‘litigious,’ ‘building a case,’ or a ‘nightmare’ because they assert their rights is a classic trigger for victimisation claims.
- Even if managers feel operational strain when covering for absent staff, communications must remain professional, neutral, and focused purely on objective attendance procedures.

PAYROLL

MODELLING THE COST OF THE UPCOMING EMPLOYMENT TRIBUNAL REFORMS

Under current rules, short-service dismissals generally carry minimal financial exposure during an employee's first two years (assuming there are no discrimination or whistleblowing matters involved).

This changes from January, because under new rules, dismissing an employee with just eight months of service could trigger a six-figure settlement, regardless of whether the exit stems from conduct, performance capability, ill health capability, probation failure, or constructive dismissal.

For SMEs and payroll teams, proactive financial forecasting for 2027 dismissals is now essential.

From 1 October we will see the first of three significant changes to the Employment Tribunal system.

- Extension of time: Currently, employees have three months to bring a tribunal claim. Under the new rules, this will be doubled to six months (1 October).
- Reduced qualifying service threshold: Under current rules, employees generally require two years of continuous service to qualify for unfair dismissal protections. Under the new rules, protection kicks in after just 6 months of service (expected 1 January)
- Removal of compensatory award cap: The statutory cap on compensatory awards (currently set at £123,543 or one year gross pay, whichever is the lower) will be removed, allowing claimants to recover their full actual financial loss (expected 1 January).

In our recent webinar on employment reform risks, we explored how these upcoming tribunal rule changes will significantly increase financial exposure for employers. To see how these reforms play out in practice, we modelled several realistic cost scenarios:

Key data used in scenario planning

- Termination date: 10/9/26
- Age at dismissal: 45 years of age
- Basic annual salary: £65k
- Annual benefits: £4k
- Annual Pension contributions: 3% employer contribution
- Net weekly pay £1,250
- Assumed period of loss: 18 months to secure comparable employment

Using the above data, we have modelled the new rules using different lengths of service and compared the amounts to what would currently be received.

Scenario 1: Long serving employee with 11 years service

For longer-serving employees, removing the compensation cap significantly expands potential payouts:

- Under current rules: Basic Award (£9,763) + capped compensatory award (£65,000) = £74,763 Total.
- Under new rules (from 1 Jan 2027): Basic Award (£9,763) + uncapped compensatory award (£106,925) = £116,688 Total.
- Difference: An increase of +£41,925.

Short serving employee with 8 months service

The reduction in qualifying service creates the most dramatic shift for shorter-tenured employees:

- Under current rules: £0 total payout, as the employee falls short of the current two-year qualifying threshold.
- Under new rules (from 1 Jan 2027): Basic Award of £0 (0 full years completed) + uncapped compensatory award (£106,925) = £106,925 Total.
- Difference: An immediate jump from £0 to £106,925.

Mid short serving employee with 14 months service

Similarly, staff with just over a year of service move from zero protection to six-figure exposure:

- Under current rules: £0 total payout due to insufficient service.
- Under new rules (from 1 Jan 2027): Basic Award (£1,126.50 for 1 full year) + uncapped compensatory award (£106,925) = £108,051.50 Total.
- Difference: An increase of +£108,051.50.

UK PAY TRANSPARENCY

Last month, the UK government launched a consultation to overhaul the national equal pay framework through a two-phase strategy: 'fixing the system', followed by 'making the right to equal pay effective for all'.

Phase 1 measures could potentially take effect from late 2027, in which case, employers should now consider how they transition toward mandatory salary transparency, expanded pay gap reporting, and proactive enforcement.

Below is an overview of the proposed reforms and the practical steps organisations should take to prepare.

Key proposed reforms

- Employers will be required to publish pay ranges and employment conditions directly on job adverts or provide them in writing prior to an interview. Currently, only around 40% of UK job adverts disclose salary information.
- A specialised Equal Pay Regulatory and Enforcement Unit will be created with proactive investigatory powers to audit pay practices and intervene early where inconsistency is identified.
- Employment Tribunals will gain the power to order non-compliant employers to implement a formal, non-discriminatory job evaluation scheme following an equal pay breach.
- Rights to bring equal pay claims, which are currently restricted to sex-based claims, would be extended to allow for race and disability discrimination claims.

Before we see developments in this area, employers should focus on five core areas:

1. Review job descriptions across all roles to ensure they accurately reflect current duties, as these form crucial evidence in equal pay disputes.
2. Implement a structured job evaluation scheme to ensure objective, defensible pay structures across different positions.
3. Define clear job families and pay structures so employees understand how pay decisions and salary progression are determined.
4. Compare advertised external recruitment rates against current internal salaries to identify, and fix pay compression or internal equities.
5. Benchmark existing pay bands against the wider market and prepare internal communication strategies before salary ranges are made public.

PAYROLL COMPLIANCE

Modelling the cost of the upcoming employment tribunal reforms

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Using the above data, we have modelled the new rules using different lengths of service and compared the amounts to what would currently be received.

Scenario 1: Long serving employee with 11 years service

For longer-serving employees, removing the compensation cap significantly expands potential payouts:

- Under current rules: Basic Award (£9,763) + capped compensatory award (£65,000) = £74,763 Total.
- Under new rules (from 1 Jan 2027): Basic Award (£9,763) + uncapped compensatory award (£106,925) = £116,688 Total.
- Difference: An increase of +£41,925.

Short serving employee with 8 months service

The reduction in qualifying service creates the most dramatic shift for shorter-tenured employees:

- Under current rules: £0 total payout, as the employee falls short of the current two-year qualifying threshold.
- Under new rules (from 1 Jan 2027): Basic Award of £0 (0 full years completed) + uncapped compensatory award (£106,925) = £106,925 Total.
- Difference: An immediate jump from £0 to £106,925.

Mid short serving employee with 14 months service

Similarly, staff with just over a year of service move from zero protection to six-figure exposure:

- Under current rules: £0 total payout due to insufficient service.
- Under new rules (from 1 Jan 2027): Basic Award (£1,126.50 for 1 full year) + uncapped compensatory award (£106,925) = £108,051.50 Total.
- Difference: An increase of +£108,051.50.

UK PAY TRANSPARENCY

Last month, the UK government launched a consultation to overhaul the national equal pay framework through a two-phase strategy: 'fixing the system', followed by 'making the right to equal pay effective for all'.

Phase 1 measures could potentially take effect from late 2027, in which case, employers should now consider how they transition toward mandatory salary transparency, expanded pay gap reporting, and proactive enforcement.

Below is an overview of the proposed reforms and the practical steps organisations should take to prepare.

Key proposed reforms

- Employers will be required to publish pay ranges and employment conditions directly on job adverts or provide them in writing prior to an interview. Currently, only around 40% of UK job adverts disclose salary information.
- A specialised Equal Pay Regulatory and Enforcement Unit will be created with proactive investigatory powers to audit pay practices and intervene early where inconsistency is identified.
- Employment Tribunals will gain the power to order non-compliant employers to implement a formal, non-discriminatory job evaluation scheme following an equal pay breach.
- Rights to bring equal pay claims, which are currently restricted to sex-based claims, would be extended to allow for race and disability discrimination claims.
- Reporting requirements expanded to include ethnicity and disability pay gap reporting, alongside mandatory action plans and menopause support plans starting in 2027.

Before we see developments in this area, employers should focus on five core areas:

1. Review job descriptions across all roles to ensure they accurately reflect current duties, as these form crucial evidence in equal pay disputes.
2. Implement a structured job evaluation scheme to ensure objective, defensible pay structures across different positions.
3. Define clear job families and pay structures so employees understand how pay decisions and salary progression are determined.
4. Compare advertised external recruitment rates against current internal salaries to identify, and fix pay compression or internal equities.
5. Benchmark existing pay bands against the wider market and prepare internal communication strategies before salary ranges are made public.

PAYROLL COMPLIANCE

The newly created Fair Work Agency (FWA), which is a new unified, single regulator, replaces a historically fragmented system by simplifying compliance, and robustly protect workers' statutory rights.

The FWA consolidates the statutory functions, powers, rights, and liabilities, including those that have traditionally been enforced by the HMRC such as National Minimum Wage, national insurance contributions, pay and income tax as well as statutory sick pay and paid holiday.

NEW COMPANY CAR ADVISORY FUEL RATES

If you have employees who use a company car for business travel, or you need employees to repay the cost of fuel used for private travel, the following advisory rates are effective from 1 September:

Petrol

- Over 2000cc – 27p per mile
- 1401cc to 2000cc – 17p per mile
- Under 1401cc - 14p per mile

Charging location

- Home charger – 7p per mile
- Public charger – 15p per mile

For diesel, and LPG, refer to the full guidance which can be found here.

APRIL 2027: MANDATORY PAYROLLING BENEFITS

It has been confirmed that the mandating of Payrolling Benefits in Kind (BIK), will be phased in gradually from April 2027.

Mandating payrolling of BIK is the inclusion of the estimated value of non-cash employee benefits directly in the regular payroll instead of reporting separately on an annual P11D form. Until such time, it continues to be voluntary, and we expect draft legislation and guidance to be provided in due course.

HEALTH AND SAFETY

DSEAR: DON'T OVERLOOK IT BECAUSE YOU'RE NOT 'INDUSTRIAL'

The Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) apply wherever flammable or explosive substances are used, stored or generated. That catches more workplaces than people expect. Aerosols, cleaning solvents, fuel stores, battery charging areas, dust from certain processes: chemical plants and fuel depots aren't the only sites in scope. Most businesses file DSEAR under 'not relevant to us' without ever checking the substances register.

The core duty is a DSEAR risk assessment: work out where a dangerous atmosphere could form, classify the zones, and put suitable controls and equipment in place, including control of ignition sources. People often confuse this with a fire risk assessment, but they're separate documents. A fire risk assessment deals with what happens once something's alight.

Zoning is where most gaps show up in practice. Once an area's classified, even informally, like a cupboard where aerosols and solvents are kept, the equipment in it must suit that environment. That includes something as basic as a light switch or an extractor fan. Worth checking storage quantities too. A stockroom that's grown from a few tins of solvent to a full shelf may have moved into different territory without the paperwork catching up.

Where DSEAR applies, it sits alongside COSHH rather than replacing it. COSHH covers the health effects of exposure to a substance; DSEAR covers the fire and explosion risk from the same substance. You usually need both assessments, not one instead of the other.

What this means for you

- Confirm whether any flammable substances, gases, or combustible dusts are present on site, however small the quantity.
- If they are, make sure a specific DSEAR risk assessment exists and hasn't just been folded into a generic fire assessment.
- Check storage, ventilation and ignition-source controls against what the assessment actually specifies.
- Revisit the assessment if storage volumes or the substances themselves have changed since it was written.

In a recent case, ExxonMobil Chemical Limited was fined £267,000 in August 2026 after corroded pipework caused five separate leaks of flammable hydrocarbons at its Fife Ethylene Plant over an 18-month period, one lasting four months before it was fixed. HSE found the company's inspection regime for insulated pipework was inadequate.

WORKING AT HEIGHT: THE LEADING CAUSE OF WORKPLACE DEATH

HSE enforcement data still shows falls from working at height as the biggest cause of fatal and serious workplace injury. That hasn't shifted in years, even as injury rates elsewhere have fallen. Recent prosecutions, from roof collapses to unsecured access equipment, tend to trace back to the same root causes: work at height treated as routine, a ladder used instead of proper equipment, or a job that could have been avoided altogether.

The Work at Height Regulations set out a clear hierarchy. Avoid work at height where you can. Use collective protection, guard rails and platforms, before personal protection like harnesses. Only then rely on the individual's own technique and training. This applies just as much to a five-minute job, changing a light fitting or clearing a gutter, as it does to a full scaffold operation. It's usually the short 'we'll just nip up and do it' jobs that skip the thinking altogether.

Equipment selection is a common weak point. A stepladder is fine for light work of short duration where you've got a handhold, but it isn't a substitute for a tower or a mobile elevated platform once the job involves reaching, leaning or working for any length of time. Fragile surfaces come up again and again in fatal accident investigations too: old roof lights, corroded roof sheeting. They don't look dangerous from below, which is exactly the problem.

Competence matters as much as equipment. Someone can be experienced at a job and still not be competent to judge the height risks involved, especially if the work is infrequent or happening somewhere unfamiliar, like a client's site rather than your own.

What this means for you

- Ask whether the work can be avoided or done from ground level before anything else.
- Check ladders are only being used for genuinely low-risk, short jobs, not as the default option.
- Make sure whoever is doing the work is competent and equipment is inspected and in date, not just 'available'.
- Treat one-off or unfamiliar sites with extra caution. Assumptions that hold on a regular site don't always carry over.

In a recent case, Lowndes Lumb Construction Limited was fined £60,000 in August 2026 after a worker suffered life-changing injuries falling through an unprotected roof light during a roof refurbishment in Fulham. HSE found no measures had been put in place to prevent a fall. Falls from height accounted for around a quarter of all worker deaths in Great Britain in 2025/26.

PRE-USE ELECTRICAL CHECKS: THE FIVE MINUTES THAT CATCH REAL FAULTS

Formal testing for portable electrical appliances (PAT) gets most of the attention, but it's the simple pre-use visual check, done by whoever's actually using the equipment, that catches the faults most likely to cause harm: a frayed cable, a cracked plug, a scorch mark, a casing that's come loose, a cable grip that's failed. Dealing with electricity at work in line with the Electricity at Work Regulations require equipment to be kept in a safe condition. A quick check before use is one of the cheapest ways to meet that duty in practice.

It's also the control that tends to lapse first when things get busy, because there's no paperwork trail forcing it the way a scheduled PAT test does. A PAT test is only a snapshot. A cable can get damaged the following week, and nothing in the testing regime would catch it until the next scheduled round, which might be months off.

The two checks complement each other rather than replace each other. PAT testing picks up internal faults a visual check can't see, insulation breakdown, earth continuity issues, while the pre-use check picks up the everyday physical damage that happens between tests. Rely on just one and you leave a gap the other exists to cover.

This matters most for portable and moveable equipment: extension leads, power tools, kettles, vacuum cleaners. It gets knocked about, moved between rooms or sites, and generally sees rougher handling than fixed installations.

What this means for you

- Build a simple pre-use visual check into how staff use portable equipment, not just into a policy document.
- Make it clear what to do with a suspect item: take it out of use and report it, don't just note it and carry on.
- Treat pre-use checks and scheduled PAT testing as complementary, not one instead of the other.
- Pay particular attention to equipment that moves around. Leads, tools and appliances see more wear than fixed kit.

In a recent case, Sabel Cosmetics Ltd was fined £56,695 in October 2024 after an unannounced HSE inspection found electrical wiring and equipment at its Halifax premises had not been maintained, leaving staff at risk of electric shock and electrocution. The company pleaded guilty to breaching Regulation 4(1) of the Electricity at Work Regulations 1989.

INTERESTING HR STATISTICS

REDUNDANCIES ON THE RADAR

New figures from the Insolvency Service (last updated 2 September) show that 282 HR1 redundancy notifications were received in Great Britain during August, representing 19,557 potential job losses across 238 employers. This is down from 36,271 potential redundancies in May 2026, when notifications reached their highest monthly level so far this year.

The figures relate to employers proposing 20 or more redundancies and are an early indicator of potential job losses. They do not mean that all these redundancies will necessarily happen.

Employers are legally required to notify the Government in advance when they are proposing large-scale redundancies, failure to do so is a criminal offence.

Why it matters for HR and EDI: periods of organisational change can have different impacts on different groups of employees. As organisations restructure, it is important that redundancy processes are fair, transparent and free from discrimination, with consideration given to the potential impact on protected groups.

TRIBUNAL CASES CONTINUE TO SOAR

The latest Tribunal Statistics Quarterly (April to June 2026) published by the Ministry of Justice reveals mounting pressure across the UK tribunal system. Across all jurisdictions, new claims rose by 12% compared to the same quarter in 2025, reaching 120,000 cases. However, resolved cases grew by only 3% to 84,000. Because incoming cases continue to outstrip resolutions, the total open caseload has expanded by 16% year-on-year to 887,000, marking its highest backlog level since late 2013.

The data highlights a sharp rise in individual employment disputes:

- Single claims surge: Receipts for single Employment Tribunal (ET) claims increased by 28% to 14,000 in Q1 2026/27.
- Falling clearance rates: Single ET resolved cases fell by 6% (to 6,100), meaning cases are arriving significantly faster than tribunals can resolve them.
- Record single backlog: The open caseload for single ET claims surged by 51% year-on-year to reach an all-time high of 70,000 open cases at the end of June 2026.
- Multiple claims: Multiple claim receipts stood at 11,000 (across 500 lead cases) with 4,100 resolved cases, leaving the open multiple claims caseload at 467,000. Combining single and multiple claims, the overall Employment Tribunal backlog stands at 537,000 open claims.

These figures capture a tribunal system operating under severe strain before major statutory reforms take effect. The implementation of the Employment Rights Act 2025, which reduces the qualifying period for unfair dismissal from two years to six months (Jan '27), removes the statutory compensation cap (Jan '27), and doubles the claim presentation window from three to six months (Oct '26) is widely anticipated to trigger a further wave of single ET claims.

Simultaneously, the creation of the Fair Work Agency (FWA) establishes state-led enforcement for statutory entitlements such as holiday pay, national minimum wage and statutory sick pay. While proactive state enforcement is intended to address non-compliance with employers, increased worker awareness and expanded statutory rights will almost certainly add pressure to an Employment Tribunal system already navigating a record 70,000 single-claim backlog.

ARE EMPLOYERS READY FOR STRONGER EMPLOYMENT RIGHTS ENFORCEMENT? READ WHAT OUR RESEARCH SAYS…

In our recent webinar on the new regulatory framework for enforcing employment rights, we polled employers to understand how business is adapting to this new era of compliance following the launch of the Fair Work Agency (FWA).

Our audience represented a broad range of organisation sizes: 8% micro, 32% small, 36% medium, and 24% large. HR responsibilities among attendees were managed by internal HR teams (68%), business owners or office managers (20%), and outsourced HR and payroll providers (12%).

The results provide a comprehensive snapshot of employer readiness, structural vulnerabilities, and risk perception across UK businesses.

Analysis & key findings

1. The awareness & governance gap (the FWA & payroll disconnect)

- Low regulatory visibility: Across business sizes, awareness of the Fair Work Agency (FWA) is surprisingly low, with most respondents indicating they have ‘no’ awareness or ‘a little, not much’.
- Payroll unpreparedness: Communication with payroll teams regarding statutory reforms (including statutory sick pay, National Minimum Wage, and record-keeping is lagging. A substantial proportion of employer’s report not actively auditing compliance or having yet briefed their teams on the FWA and its enforcement powers and rights.

2. Enforcement vulnerabilities: focus on statutory record keeping

- Primary compliance fear: When asked which employment enforcement areas create the greatest sense of exposure, record keeping (covering holiday pay, sickness, working time, and NMW) and holiday calculations/pay consistently rank highest.
- Secondary exposures: Correct SSP calculations, agency worker rules, and general NMW compliance are also flagged as key exposure points.

3. Financial & operational risk perception

- Unfair dismissal & regulatory scrutiny: The top financial and operational threats identified by employers are reduced qualifying periods for unfair dismissal and increased regulatory scrutiny and enforcement.
- Overhaul costs & tribunal costs: The operational burden of contract/policy overhauls and extended tribunal time limits represent major secondary concerns.

4. The managerial execution gap: Paper policies vs. un-trained managers

- The ‘Policy-Practice’ Paradox: When evaluating proactive compliance frameworks, the single most recurring vulnerability is that policies exist on paper, but line managers rarely receive training. Many organisations rely on informal or reactive processes.

- Infrequent review & training: Handbooks and contracts are overwhelmingly reviewed ‘only when major law changes occur’ or every 2–3 years. Line manager training on people management is heavily neglected, with most businesses answering, ‘rarely or never’.

5. Extended tribunal claim windows (3 to 6 months)

- Exposing informal practices: With the extension of tribunal claim windows, employers identify their primary weaknesses as line management capability, inconsistent management documentation and record-keeping, and a lack of legal/HR capacity to handle prolonged disputes. Informal performance or grievance handling represents a critical structural weakness.

6. Overall state of organisational preparedness

- Prevalent compliance latency: Most surveyed organisations fall into two categories: 'just starting to evaluate what needs to change' or 'moderately prepared but still reviewing key areas'. Extremely few respondents report being 'fully prepared with an active implementation plan'.

Strategic recommendations for employers

Our poll results identify several exposure points and require employers adopting the following five compliance steps:

1. Prioritise Line Manager Training & Documentation Standards
2. Conduct an Immediate Audit of Statutory Record-Keeping & Payroll Systems
3. Strengthen Internal Dispute & Grievance Governance
4. Overhaul Contracts, Handbooks, and Day-One Entitlements
5. Prepare Proactively for Fair Work Agency Enforcement

LATEST FIGURES BY THE OFFICE FOR NATIONAL STATISTICS

The latest statistical release from the Office for National Statistics (ONS) presents a picture of an increasingly cautious UK hiring environment. While overall participation levels remain relatively steady, a hiring slowdown, particularly among SMEs, and a noticeable gap between public and private sector wage growth define the current workforce picture.

Headline workforce statistics

- **Employment Rate:** The UK employment rate for individuals aged 16 to 64 years stood at 75.1% for May to July 2026, down 0.1 percentage points compared to the previous year.
- **Unemployment Rate:** Unemployment reached 4.9% over the same period, representing a 0.2 percentage point increase year-on-year.
- **Economic Inactivity:** Sitting at 20.9%, economic inactivity decreased by 0.1 percentage points on both the quarter and the year.
- **Payrolled Employees:** Provisional HMRC Real Time Information data indicates that payrolled employees decreased by 145,000 (0.5%) year-on-year in August 2026, bringing the total to 30.2 million.
- **Claimant Count:** The total UK claimant count increased to 1.692 million in August 2026.

Vacancies hit 12-year low outside pandemic

A major highlight for HR professionals is the ongoing decline in total job openings.

- Early estimates for June to August 2026 place total UK vacancies at 702,000, reflecting an 8,000 (1.1%) quarterly drop and a 36,000 (4.9%) annual decline.
- Outside of the COVID-19 pandemic period, vacancies have reached their lowest level since late 2014 (when openings dipped to 701,000).
- Feedback from the ONS Vacancy Survey specifically notes that smaller firms are holding back on recruitment due to mounting labour costs.

Wage trends: modest real gains & sector divergence

- **Regular vs. Total Pay:** Annual regular pay growth (excluding bonuses) was 3.5% for May to July 2026, while total pay growth (including bonuses) stood at 3.9%.

- **Public vs. Private Pay Gap:** A wide sector divide remains, with public sector regular pay growing at 6.3% compared to 2.9% in the private sector.
- **Real Earnings Inflation Adjustment:** Real regular earnings grew by 0.6% under CPIH (and 0.8% under CPI), delivering small purchasing power gains for workers.

Actionable compliance & HR takeaways

1. **Benchmark Salary Structures:** With private sector regular pay growth moderating to 2.9%, evaluate pay scales against market standards to maintain retention without overextending payroll.
2. **Prioritise Internal Talent Mobility:** With external job vacancies falling to a 12-year non-pandemic low, focus on upskilling existing staff to fill skill gaps internally.
3. **Review Labour Cost Pressures:** As smaller businesses increasingly cite rising labour costs as a barrier to hiring, audit overtime and temporary staffing to improve cost efficiency.
4. **Strengthen Employer Branding:** In a market where payrolled employment has contracted by 145,000 year-on-year, position your organisation around clear career progression, flexibility, and workplace well-being to attract top talent.

EQUALITY, DIVERSITY AND INCLUSION

EHRC – ENFORCEMENT OF EDI

At the end of next month, UK harassment laws are changing bringing significant changes for all employers.

Non-compliance with anti-harassment laws, not only exposes businesses to employment tribunals, but the Equality and Human Rights Commission can use its own enforcement powers to enforce compliance with the Equality Act 2010, as was the case with the Welsh Rugby Union (WRU).

In 2024, the WRU entered into a legal agreement with the EHRC following their independent review into the Union's non-compliance with the Act. The review found a 'toxic' workplace that consisted of sexist, racist and homophobic behaviours and the WRUs failure to adequately challenge such behaviours.

The legal agreement (known as a 'section 23 agreement') concluded this month assessing that the WRU had made sufficient progress to address concerns identified in the review.

The action plan that had been developed as part of the legal agreement included:

- Working with an external adviser to enhance workplace policies so it is clear how harassment and discrimination should be addressed
- Introducing a standardised system to record discrimination and harassment complaints so that trends and risks can be identified
- Introducing mandatory sexual harassment training for all managers, with specialist training for managers who are responsible for handling complaints
- Updating its sexual harassment risk assessment to cover risks associated with social events and travel, and devised tailored briefing materials to reduce the risk for specific events
- Appointed an independent advisory group to provide oversight and expertise on equality and inclusion.

EHRC'S ASSESSMENT OF HUMAN RIGHTS AND INCLUSION IN THE WORKPLACE

The EHRC have published its latest assessment on the UK's commitment to following seven of the nine core United Nations human rights treaties. One of the seven treaties is in respect of work. In their assessment, they report that the UK has made progress in promoting equality, diversity and inclusion in the workplace, but important challenges remain.

The EHRC highlights action to improve access to employment for groups that can face disadvantage, including people with disabilities and ethnic minority communities. Initiatives such as Access to Work, employment support programmes and measures to improve ethnicity and disability pay-gap reporting aim to reduce barriers and tackle inequality.

Protecting workers from exploitation is also an important human rights issue. The UK has legislation and enforcement mechanisms addressing labour exploitation, modern slavery and human trafficking. However, the EHRC identifies gaps in protection, particularly for migrant workers and victims of trafficking, and highlights the need for greater awareness of workers' rights and access to effective remedies.

Fair and dignified working conditions are another key part of equality and inclusion. This includes fair pay, safe working environments, protection from discrimination and harassment, and the right to participate in trade unions. While the UK has legal protections in these areas, the EHRC's findings demonstrate that continued action is needed to ensure these rights are experienced in practice by all workers.

Overall, the message is that equality, diversity and inclusion, is not simply about creating opportunities to enter the workplace, it is also about ensuring that everyone, regardless of disability, ethnicity, immigration status or background, or any other protected characteristic, can work in an environment that is fair, safe, inclusive and respectful of human dignity.

You can read more about the EHRC's assessment on their tracker available here.