

EMPLOYMENT RIGHTS GUIDE

The ERA 2025 Small-Employer Checklist

Every deadline in the Employment Rights Act 2025, turned into dated actions for UK businesses with 5–49 staff. Work it top to bottom — tick as you go.

FREE DOWNLOAD — NO SIGNUP NEEDED

Edition: October 2026

employmentrightsguide.co.uk · "The Employment Rights Act 2025, translated for small employers."

General information only — not legal advice. Check gov.uk and Acas for the current law.

How to Use This Checklist

The Employment Rights Act 2025 (Royal Assent 18 December 2025) switches on in waves. This checklist follows the waves in order: **do now**, **before 30 October 2026**, **before 1 January 2027**, then **ongoing**. Each item gives you the action in one line and the plain-English reason underneath.

Tick items off as you complete them. Items marked **urgent** carry legal deadlines measured in days, not months — start there.

Note: this checklist is general information, not legal advice, and it hasn't been through the solicitor review that our paid materials get. For anything you're unsure about — especially dismissals and contract changes — talk to a UK employment solicitor.

DO NOW — OCTOBER 2026

The foundations (no deadline, but everything else builds on these)

☐ Confirm your payroll handles day-one SSP correctly.

Since 6 April 2026, Statutory Sick Pay runs from the first day of absence with no lower earnings limit. Ask your payroll provider for written confirmation — software set up for the old rules silently underpays.

☐ Check the current SSP rate on gov.uk and write it down.

The weekly rate changes every April. Never cost or pay from a printed figure — including any figure in a PDF. Look it up fresh each time.

☐ Pull the files on every dismissal, disciplinary, and grievance from the last 6 months.

Tribunal claim time limits doubled from 3 to 6 months on 1 October 2026. A dispute you thought was dead in July, August, or September may still be live — and you need the paperwork.

☐ Set a 7-month document retention rule for all dispute paperwork.

Six-month claim window plus a margin. The old habit of clearing the drawer after three months will now lose you cases.

☐ **Book a solicitor review of your harassment risk assessment and policy.**

The 30 October duty is the highest-urgency item in the Act, and a one-hour professional review is the cheapest insurance you'll buy this year. Book it now — employment solicitors are busy this month.

Want the full playbook behind this checklist?

The ERA 2025 Small-Employer Compliance Pack (\$49) gives you everything this checklist points at: the 30 October harassment sector playbooks with risk-assessment tables, the January 2027 dismissal system with probation review templates, worked SSP cost examples, and five fill-in templates (disciplinary policy, consultation letter, dismissal checklist, and more).

<https://employmentrightsguide.co.uk/pack.html>

DO BEFORE 30 OCTOBER 2026

The harassment duty — deadline: 30 October 2026

From this date your duty is to take **all reasonable steps** to prevent sexual harassment — and you become liable for **third-party harassment** (customers, clients, the public) where you didn't. If your staff meet the public, this is your #1 priority.

☐ **Complete a written harassment risk assessment for each work location.**

A tribunal will ask what you foresaw and what you did about it. No risk assessment, no evidence — and "we're too small for paperwork" is not a defence.

☐ **Adopt a one-to-two-page anti-harassment policy that covers third parties.**

The policy must say explicitly that harassment by customers and the public counts, how to report it, and that retaliation is a disciplinary matter.

☐ **Brief every member of staff — including part-timers and new starters — and file an attendance record.**

A policy nobody has seen is a policy that doesn't exist in a tribunal's eyes. Ten minutes, read aloud, signatures dated.

☐ **Name your reporting route: one primary contact and one alternative.**

Staff must be able to report without going through the person they're reporting about. In a 10-person firm this can simply be you plus a named deputy.

☐ **Start an incident log and store it securely.**

Log every report and near-miss with dates, actions, and outcomes. A log with entries proves your system works; an empty log in a high-risk sector invites scepticism.

☐ **Put up customer-facing signage where staff meet the public.**

"We do not tolerate harassment of our staff" signs are a visible reasonable step — and they give your team backup when they set boundaries with a customer.

☐ **Tell your team plainly: no one tolerates harassment to keep a customer happy.**

The single most damaging fact pattern in these cases is staff being expected to absorb abuse "as part of the job." Say the opposite, mean it, and act on it the first time it's tested.

DO BEFORE 1 JANUARY 2027

The dismissal overhaul — **live 1 January 2027**

From this date, staff can claim unfair dismissal after **6 months** (not 2 years), the **compensation cap is removed**, and **fire-and-rehire** dismissals face tough new restrictions. Your defence is in process, built in advance.

☐ **Review the probation clause in your employment contracts.**

Check the length, notice periods during probation, and whether you can extend. Your contract wording and your actual review process must match.

☐ **Put a scheduled probation review rhythm in place (e.g. month 2 and month 4) with written records.**

After January, every dismissal past six months needs a fair reason and a fair process. Review forms you can evidence are what make a dismissal defensible.

☐ **Adopt a disciplinary policy that follows the Acas Code.**

Tribunals measure your process against the Acas Code and can uplift awards by up to 25% where it's unreasonably ignored. A compliant policy is the baseline.

☐ **Brief managers: no dismissal without a fair reason, evidence, a hearing, and an appeal.**

The old "under two years, minimal process" reflex becomes a liability on 1 January. One briefing now prevents the text-message dismissal that becomes a tribunal claim later.

☐ **Run any planned contract changes through genuine consultation — with advice.**

Dismissing to rehire on worse terms risks being automatically unfair from January 2027. Consult early, document the business case, negotiate alternatives, and take advice before any dismissal.

☐ **Revisit redundancy selection criteria for short-service staff.**

From January, an employee made redundant at 8 months can claim unfair dismissal. Selection and consultation need the same rigour you'd give a two-year employee.

The templates for all of this are done for you.

The ERA 2025 Small-Employer Compliance Pack (\$49) includes the month-2 and month-4 probation review forms, the pre-dismissal checklist, the consultation-first playbook for contract changes, the payroll briefing template, and five fill-in frameworks ready to adapt to your business.

<https://employmentrightsguide.co.uk/pack.html>

ONGOING

Keep it current

☐ **Review the harassment risk assessment annually and after every incident.**

"All reasonable steps" is a continuing duty, not a one-off form. A risk assessment dated 2026 that ignored a 2027 incident is worse than useless.

☐ **Brief every new starter on harassment on day one.**

The duty covers all employees from their first shift — including agency and part-time staff. Build the briefing into induction so no one slips through.

☐ **Hold return-to-work chats after every sickness absence and keep absence records 3+ years.**

Supportive early contact is the most effective absence management there is — and the records prove your SSP compliance if HMRC asks.

☐ **Re-check the SSP rate (and other statutory rates) every April on gov.uk.**

Rates change annually. A five-minute check each April keeps your payroll, budgets, and rate card honest.

☐ **Watch for the autumn 2027 wave: day-one flexible working and further family-leave reforms.**

The Act isn't finished. Check Acas and gov.uk in summer 2027 for confirmed dates — don't plan around rumours, but don't be surprised either.

☐ **Keep your solicitor's number where your managers can find it.**

The cheapest employment-law advice is the advice you get *before* the dismissal letter goes out. Make asking easy and it will happen.

Sources for dated figures referenced in our materials: Government impact assessment (Jan 2026); Ministry of Justice tribunal statistics (Apr–Jun 2026); Acas/YouGov employer survey (Feb 2026); DWP SSP cost estimates. This checklist is general information, not legal advice.

Done the checklist? Now get the full pack.

This checklist tells you **what** to do. **The ERA 2025 Small-Employer Compliance Pack** shows you **how** — with the sector playbooks, worked examples, and fill-in templates behind every tick box:

- ✓ The 30 October harassment duty: sector playbooks for hospitality, retail, salon & beauty, and care — with risk-assessment tables, a 10-minute staff briefing script, and an incident-log template
- ✓ The January 2027 dismissal overhaul: the structured probation system, month-2 and month-4 review forms, the pre-dismissal checklist, and the consultation-first playbook for contract changes
- ✓ Day-one SSP: worked cost examples, the payroll briefing template, and a printable absence record
- ✓ Five fill-in templates: disciplinary policy, probation review form, harassment risk assessment, consultation letter, and dismissal administration checklist
- ✓ "Questions to ask your solicitor" callouts throughout — so professional advice pays for itself

\$49 USD

Get it here:

<https://employmentrightsguide.co.uk/pack.html>

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