

Employment Rights Bill 2024

Unfair Dismissal Rights – Removal of Qualifying Period

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This change is one that we have all been talking about as we are used to, and also have relied upon, the two-year qualifying period when employing any new member of staff. This is about to change (although not until 2026).

Under the Employment Rights Bill, employees will gain their unfair dismissal rights from the day that they start work, rather than after a period of 2 years continuous employment.

This means that the two-year period will disappear and dismissals from day one will be open to legal challenges. What will this mean for employers?

Probationary periods will become a crucial part of employing someone and employers will need to ensure performance is monitored closely within this. The Government proposes an 'initial period of employment' whereby dismissals will follow a new framework. The preferred length of a probation period being 9 months which allows for a 6 month probation plus 3 month extension.

It is key to note that dismissal for redundancy during this period will be fully challengeable.

Employers will need to start reviewing their onboarding processes now in order to be ready for the change as and when it takes effect.

The prediction of when the changes will take effect is not until Autumn 2026!

If you require any HR support or have any queries, please do not hesitate to get in touch with us here at Tamar HR!

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