

**TAVISTOCK TOWN COUNCIL
BUDGET AND POLICY COMMITTEE
TUESDAY 14th APRIL 2026
BRIEFING NOTE
EMPLOYMENT RIGHTS ACT 2025**

1. INTRODUCTION

- 1.1 The Committee and Council will be aware of the developing impact of the above legislation upon various aspects of personnel management. A copy of a briefing from the local government HR support service for the sector setting out the main provisions is included at Appendix 1.
- 1.2 As the timeline for implementation shows the legislation is far reaching in scope and impact and the Council, alongside all other employers, will be required to adjust its policies and practices accordingly.

2. IMPACT AREAS

- 2.1 There are various areas where the legislation will impact, however, two are particularly worthy of note, namely:
 - a) The obligation on employers to take all reasonable steps to prevent sexual harassment of their employees, including to not permit such harassment of employees by third parties (October 2026); and
 - b) Reduction of the qualifying period for unfair dismissal to 6 months from 1st January, 2027.
- 2.2 Attention is drawn to these in particular because the duties imposed regarding sexual harassment are potentially onerous and, at this stage, it is unclear what the tests for compliance and associated thresholds may be applied. In addition obligations regarding prevention of third party sexual harassment may prove particularly problematic both in terms of support for staff, and differentiation between behaviour that is sexually as opposed to otherwise motivated.
- 2.3 The reduction of the qualifying period for unfair dismissal from 2 years to 6 months is also significant. Not least because historically local government has utilised 6 month probationary periods to establish suitability for service in the sector. That meant (previously and subject to certain qualifications) employment could be terminated at the 6 month point, an extension of probation be granted, or indeed employment terminated at any point up to 2 years. The effect of the 2025 Act will be to limit the flexibility for the employer solely to a 6

month period. That will almost certainly mean a shortening of probation periods (less time to assess staff) to reflect full rights at 6 months and potentially a more rigorous and/or defensive approach from employers to evaluation of new appointees.

- 2.4 As indicated in the Appendix SW Councils are providing, and will continue to provide, updated template policies which the Assistant to the Town Clerk will review and introduce to the Staff Handbook as they are issued.

3. RECOMMENDATION

- 3.1 That The Council
- a) Note the position as set out and accompanying policy changes required; and
 - b) Endorse:
 - i) the provision of specific training as necessary (eg Sexual Harassment Duty);
 - ii) the re-issue of an amended Staff Handbook and recirculation to/confirmation by staff, once the new policy arrangements are substantially completed.
- 3.2 The instructions of the Committee and Council are sought.

**CARL HEARN
TOWN CLERK
TAVISTOCK TOWN COUNCIL
APRIL 2026**