

# Employment Rights Act 2025

## Schools Timeline Action Plan and Deliverables

**Audience:** Governors, Headteachers and School Business Managers

**Purpose:** To provide a phased action plan with clear deliverables and assurance evidence to support readiness, compliance and governance oversight.

### Phase 1 – Immediate Readiness (Now to March 2026)

**Purpose:** Establish control, baseline assurance and shared understanding of risk.

#### **Key actions**

- Brief Governors and Senior Leaders on high-risk reforms and Governance expectations.
- Confirm Schools HR Advisory Service escalation routes and decision-making authority during disputes.
- Review record-keeping standards and reinforce evidence expectations.
- Update induction materials to include Trade Union Rights and Access.
- Complete baseline compliance checks on Pay, SSP and Holiday Pay.

#### **Key deliverables / evidence**

- Governor Briefing Paper and minutes.
- Updated induction materials.
- Completed compliance checklist.

### Phase 2 – Early Implementation (February to April 2026)

**Purpose:** Implement Statutory Changes consistently and safely.

#### **Key actions**

- Apply strengthened protections for Industrial Action and Trade Union Activity.
- Implement day-one Paternity and Parental Leave Arrangements.
- Confirm Whistleblowing routes, including Sexual Harassment Disclosures.
- Review Third-Party Harassment Procedures.
- Deliver Manager Training on evidence, documentation and escalation.

### **Key deliverables / evidence**

- Updated HR Policies and Guidance notes.
- Manager Training Attendance Records.
- Decision logs for disputes and disclosures.
- Incident reporting records.

## **Phase 3 – Embedding and Assurance (May to July 2026)**

**Purpose:** Embed consistency and test assurance arrangements.

### **Key actions**

- Update Flexible Working, Capability and Disciplinary Policies.
- Introduce decision logs for high-risk HR actions.
- Standardise consultation evidence packs.
- Undertake internal assurance checks on documentation quality.
- Refresh Leadership Training, where gaps are identified.

### **Key deliverables / evidence**

- Revised Policy Suite.
- Sample decision logs and Consultation packs.
- Internal Assurance Report.

## **Phase 4 – Enforcement and Access (August to October 2026)**

**Purpose:** Prepare for proactive enforcement and expanded access rights.

### **Key actions**

- Finalise Trade Union Access and Engagement Protocols.
- Complete Fair Work Agency readiness checks.
- Refresh Harassment Prevention Training.
- Review incident trends and follow-up actions.
- Update record retention schedules in line with extended Tribunal Limits.

### **Key deliverables / evidence**

- Trade Union Access Protocol.
- Compliance Audit summary.
- Training Records.
- Updated retention schedule.

## **Phase 5 – Strategic Preparation for 2027 (Autumn to December 2026)**

**Purpose:** Prepare for major risk and cost shifts.

### **Key actions**

- Strengthen Probation and Early Performance Management Frameworks.
- Train Leaders on early dismissal risk and evidence standards.
- Model impact of Unfair Dismissal Protection after six months and uncapped compensation.
- Identify roles affected by Guaranteed Hours requirements.
- Model impact of the **School Support Staff Negotiating Body** national pay floor.

### **Key deliverables / evidence**

- Revised Probation Templates.
- Performance Management Guidance.
- Medium-Term Financial and Workforce Models.

## **Phase 6 – Operating Under the New Framework (January 2027 onwards)**

**Purpose:** Sustain compliance and manage heightened scrutiny.

### **Key actions**

- Treat Probation as a formal risk-control process.
- Ensure all Dismissals after six months are Schools HR Advisory Service - checked and evidenced.
- Avoid informal exits or undocumented decisions.
- Ensure contractual changes are supported by consultation and evidence.
- Monitor Guaranteed Hours Compliance and Support Staff Pay impacts.

### **Key deliverables / evidence**

- Case files and decision logs.
- Consultation records.
- Payroll and Contract audits.
- Governor Monitoring Reports.

### **Ongoing (Continuous Actions)**

- Annual Governor and Leadership Training Refresh.
- Regular Schools HR Advisory Service Compliance and Assurance Reviews.
- Clear and timely Staff and Trade Union Communications.
- **Early Engagement** with Schools HR Advisory Service on all **High-Risk** matters.

Schools HR Advisory Service