



UNIVERSITY OF  
**OXFORD**

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DEPARTMENT**

# HR Policy briefing – HT2026

SPEAKERS:

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# Housekeeping

- Recording – the recording will be available for 3 months
- Cameras off/microphones muted, please
- We will stop recording at the end of the session for Q&A
- Questions in the chat or unmute once recording ends



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# Agenda

- Employment Rights Act 2025
- Sexual harassment training
- Protection from redundancy for pregnant women/new parents
- General updates



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# Employment Rights Act 2025

- Finally signed off at the end of 2025
- Employment law changes to be implemented between now and 2027 – see [Plan to Make Work Pay and Employment Rights Act: timeline update - GOV.UK](#) for detail
- Some changes are still outline only and subject to consultation
- Outline and recap the most significant changes and areas where you can start planning now



# Unfair dismissal rights

- Anyone with 6 months+ service by Jan 2027 can claim unfair dismissal
- Compensation cap (lower of £118K or a year's pay) is removed - risk for higher earners
- NB relates to **unfair** dismissal – not dismissals where fair process has been followed
- Underway - reviews of probation & end of FTC process for less than 2 years' service
- Likely expansion of pool of priority candidates.
- More important than ever for depts to:
  - Have robust recruitment processes
  - Do thorough due diligence in pre-employment checks
  - Ensure good induction and management for new starters with clear targets
  - Focus on **rigorously following** probation management guidance with early intervention



# Probation

- Period to fully assess fit with the role – most probations are successfully completed.
- Dismissal within probation covered by a simpler process than applies after probation is complete
- Need to double down focus to ensure probation is rigorously transparently and fairly managed
- We are reviewing our guidance but principles will remain:
  - The job must be well-defined and induction objective setting is key
  - Good, close management is needed with regular meetings, clear steers, good feedback
  - Regular, clearly recorded reviews
  - Prompt and clearly recorded action where performance falls short
  - Clear remedial action plans
  - Attempts to use probation dismissal after 6 months, without fair and recorded process very likely to be challenged.

# Trades Unions (TU) and Industrial Action (IA)

**18 February 2026**

- TU Act 2016 largely repealed. Key issues for depts to note:
  - Lower ballot threshold (simple majority rather than 50% turnout threshold) and mandate for strike action to be valid for 12 months (from 6)
  - Simpler information requirements and shorter notice of action
  - Likelihood of more and longer periods of IA as a result

**October 2026**

- New obligation on employers to make employees aware of TU right to membership. Already in contracts, but further information and reminders may be required



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## Changes to collective redundancy - headlines

- **April 2026** - protective awards increase from 90-180 days' pay
- Currently 20 or more redundancies at one 'establishment' triggers collective consultation. Establishment currently = department at Oxford
- **2027** - Proposed addition of an **overall threshold test** for multi-site employers, (ie where the number of proposed redundancies across the whole University is above a number to be determined post consultation). May increase the number of redundancies requiring collective consultation.
- Wherever redundancies are considered ensure current processes including consultation requirements are followed. [Redundancy procedure | HR Support](#)

Ensure HRBP support is sought in all cases



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# Ending “exploitative” use of zero hours contracts

- Introduction 2027
- New rights for variable hours staff to request guaranteed fixed hours
- Unclear yet how this will apply where both parties happy with variable hours

## Get ahead

- Look at local use of variable hours contracts
- Ensure regular reviews in place and that current variable hours remain justified as per Employees (including variable hours) | HR Support
- Reissue as fixed hours where appropriate



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# Strengthening Day 1 flexible working rights

- Voluntary 2026, mandatory 2027
- Requesting flexible working is already day 1 entitlement
- 2 formal requests can be made each year, and refusals can only be on one of the statutory grounds
- Changes will make it harder to refuse flexible working applications
- Employers will need to be able to demonstrate it is 'reasonable' to refuse

## Get ahead

- These changes build on existing scheme [Flexible working – formal scheme | HR Support](#) so ensure that local managers understand how to handle requests



## Other areas covered by the ERA

- **Mandatory Menopause policy** wef 2027, voluntary 2026. Existing guidance ([Menopause in the workplace | HR Support](#)) being reviewed by Wellbeing team
- **Wef April 2026 - day one entitlement to paternity leave (only leave, not pay)** – already covered in our contractual scheme
- **Extension of right to bereavement leave**
- **Protection from dismissal for pregnant/new mothers** – consultation
- **Employment Tribunals** – extending time limit to submit claims from 3 to 6 months (Oct 2026)
- **Annual leave record keeping** – ‘adequate’ records will need to be kept for all staff including academic



## Bereaved Partners Paternity Leave Regulations 2026

- Applies from April 2026 (although not one of the ERA provisions )
- Where a mother or primary adopter dies within the first year after birth/placement the father/partner will have a new entitlement to up to 52 weeks Bereaved Partners Paternity Leave (within the first year).
- Proposals to go to PC as to how this will work in practice (statutory right = unpaid leave)
- In the meantime, please consult your HRBP should you have any cases.

# Sexual harassment prevention

- Wef October 2026 - Employers to be required to take “**all reasonable steps**” to prevent sexual harassment (new focus on ‘all’)
- New **liability** for third party harassment
- New whistleblower protections to include allegations of sexual harassment [PID policy already covers harassment]
- Risk assessment to be developed for local use – start to consider risk areas (inc 3<sup>rd</sup> parties) and potential mitigations

# Sexual harassment training

- Given new legal duty to take 'all reasonable steps' staff training is baseline requirement and key mitigation
- Therefore the new sexual harassment training mandated
- Completion being centrally monitored
- Depts have a key role in monitoring and ensuring completion.
- Includes anyone engaged by University including casuals (third party liability)
- Consider adding into review processes such as PDR discussions, probation discussions, recognition processes (failure to complete mandatory training is indication of poor 'citizenship', and poor compliance with 'reasonable management instruction')



## Reminder: Protection from Redundancy (Pregnancy and Family Leave) Act 2023

- Statutory enhanced protection from redundancy for those who:
  - Are pregnant
  - Are on maternity, adoption, or a period of shared parental leave or **neonatal leave (new)**
  - Have returned from one of these (for ShPL and NCLP min 6 weeks) and is still within 18 months of the birth/placement date
  - Had a stillbirth less than 18 months ago or a miscarriage less than 2 weeks ago
- Protections apply even where the employee has less than the 2 years' service required for redundancy payments.



## Cont'd: Protection from Redundancy (Pregnancy and Family Leave) Act 2023

- Priority for redeployment over all other candidates including priority candidates
- NB entitlement to be redeployed, not to apply for vacancies - they should not be required to go through competitive process (unless multiple similarly protected redeployees).
- Please speak to your HRBP if you have any cases falling into this category.
- Managers and HR staff should engage proactively with the individual inc signposting relevant support, and taking a lead in redeployment actions.
- ERA looks to extend this protection to other types of dismissal. Consultation on proposals and detail now awaited.



## Cont'd : Protection from Redundancy (Pregnancy and Family Leave) Act 2023

- Record of consultation pro-forma has been updated to include this as an item to discuss with all at risk staff
- Explaining the protections to all employees has the additional benefit of ensuring that those who gain protection during the notice period (ie by becoming pregnant during their redundancy/end of fixed-term process are aware that flagging this as early as possible ensures that departments are able to comply with their responsibilities here.
- See Fixed-term contracts: [as end date approaches \(less than 2 years' service\) | HR Support \(ox.ac.uk\)](#).



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# General updates

## OxIntranet Migration

- We're getting ready to move our content to OxIntranet – the University's first Oxford-wide intranet.
- Content currently on the HR Support website will soon move to a dedicated area of OxIntranet, bringing together support for departments in one simple, secure, and connected location.
- We will have a redirect page but any of your documents or webpages with any old links will need to be updated.
- In the meantime, you can take a look at the UAS content already live on OxIntranet, including the Safety Office, Occupational Health and Wellbeing.
- See: [OxIntranet Home](#) - -

## Oxford University Additional Paternity/Partner Leave (OUAPPL) scheme

- Thank you for all your contributions to the OUAPPL survey and request for detailed information. We are currently reviewing the data and will bring highlights back to next terms briefing.



# Cont'd: General updates

## Leave for religious observance – reminder

- Handbook 3.8.3 Booking leave for religious observance

“By custom, holiday arrangements include (amongst other public holidays and fixed closure days) a day off on Christmas Day and Good Friday, both of which are Christian religious festivals. **Those practising other religions should be given preferential treatment when booking leave on the religious festival dates of most significance to them,** providing these days are booked with as much notice as possible in order to assist operational arrangements. The number of annual leave days overall will remain 38 working days.”  
Handbook 3.8.3 Booking leave for religious observance

- P&C did consider a ‘bank holiday swap’ scheme, which was dependent upon the award of 3 additional days leave - but this recommendation was not progressed



## Cont'd: General updates

### Cont'd: Leave for religious observance – reminder

- Handbook term is supplemented here [Holiday entitlement | HR Support](#)

#### “ [Leave for religious reasons](#) ”

(...) As a consequence of taking other religious festivals as annual leave, some employees may request to work on public holidays or fixed closure days. **Such requests need to be considered by departments on a case by case basis, taking account of operational issues.** For example, it may not be possible to allow staff to work on site on public holidays or fixed closure days for operational or security reasons, or the nature of the role may mean that there is no work they can do when the building is closed or the rest of the team is on leave. Departmental HR contacts are advised to contact their HR Business Partner for advice, if required. “



## Cont'd: General updates

### Cont'd: Leave for religious observance – reminder

- In considering requests departments should consider:
  - issues such as safety (lone working), requirement for other services, any costs that may be incurred and the type of work that the individual can do without access to colleagues, supervision etc
  - fairness since granting a request for one, may have implications for others
- Wellbeing (the value of all staff being off work together, minimising periods when cover is needed etc)



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# Questions