



Newsletter

February 2026

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*By Jenny Goulding, Hils Jackett, David Rogers, Chelsey Phillips, TJ
Aboderin & Sharmina Akthar*

Employment Law Updates

With April fast approaching, we have put together a quick summary of the main upcoming changes that we are expecting in April/ later in the year. We will be reaching out to clients to support with these legislative changes closer to the time.

April 2026 Changes

SSP - Removal of Waiting Days & LEL

Statutory Sick Pay (SSP) to be paid to all workers from the first day of absence at a rate of either 80% of weekly earnings or the flat rate, whichever is lower.

This means that employees who are off for 1 day (for example), will be entitled to SSP.

The Lower Earnings Limit to be removed for SSP calculations, meaning lower earning employees may also be eligible.

What you can do to prepare:

- Ensure that you are completing return to work interviews after every absence, to help manage absence levels.
- Ensure sickness is added to the payroll reports each month, to ensure SSP is applied.
- Communicate changes with Line Managers so that they are aware.

The rate for SSP will increase from 6th April to £123.25 p/w.

National Minimum/Living Wage Increases

NLW (21 and over) - increasing to **£12.71 p/h**

NMW (18-20) - increasing to **£10.85 p/h**

(16-17) - increasing to **£8.00 p/h**

What you can do to prepare:

- Complete checks on your lowest salaries to ensure they will not go under the NMW/NLW limit once the changes have been implemented.
- Issue salary increases where necessary.

Paternity & Parental Leave

From 6th April, service requirement for both Paternity Leave & Parental Leave will be removed. This means that these leave types will become a day-one right. Eligibility for SPP will remain as 26 weeks continuous service.

Bereaved Partner's Paternity Leave

Bereaved partner's paternity leave will become a right from 6 April 2026. It will give eligible fathers and partners up to 52 weeks' unpaid leave if the mother or primary adopter dies. This also applies to intended parents having a baby through surrogacy.

January 2027 Changes

Unfair Dismissal

From 1st January 2027, the service requirements for employees to claim unfair dismissal is going to drop from 2 years to 6 months. It is likely that this will apply automatically on this date, which means that any employees who have 6 months or more service at the time, will be able to claim for unfair dismissal. In effect, this means any employee starting from 1st July 2026, will also be able to make an unfair dismissal claim from 1st January 2027 as soon as they reach 6 months of continuous service.

What you can do to prepare:

- Complete comprehensive probationary review processes now for any new starters to ensure that fair feedback is provided, and employees are given opportunity to improve earlier in the process.
- Continue to manage any performance issues for employees under 2 years of service.
- Ensure that interview processes are being shaped to ask the right questions, to ensure they will be the right fit for the role and company.
- Train Line Managers on how to carry out 'fair and full' processes - it is proposed that from 1st January 2027, compensation limits in unfair dismissal cases will be removed, so there will no longer be an upper maximum limit of 52 weeks' pay or £118,223.

If you have any questions, or would like further information on the above, please don't hesitate to contact us.

Managing Flexible Working Requests Fairly

Since legislation has changed in recent years, more employees are exercising their right to request flexibility from day one of employment. For employers, the challenge is not just handling these requests efficiently, but managing them fairly and consistently.

Here's how to approach flexible working requests in a way that is compliant and fair to everyone involved.

1. Understand the legal framework

- Employees can make a flexible working requests from day 1 of employment
- Employees can make 2 statutory requests within a 12 month period
- Employers must consult with employees before declining a flexible working request
- Employers must not discriminate against any protected characteristics
- Requests must be concluded within 2 months.

2. Having a flexible working policy

Having a policy in place will help to ensure consistency across the Company. Your policy should include:

- Who can apply and how they should apply
- The right to be accompanied
- What the process looks like and how long it will take
- Explain the grounds for declining a flexible working request
- How an employee can appeal a decision
- Explain that trial periods may be used
- What happens if a request is accepted.

3. Assessing requests objectively

- Requests should be acknowledged promptly, once they have been received
- A Flexible Working meeting should be arranged to discuss their request
- Consider the impact on the Company such as workload distribution, quality impact and cost implications
- Consider/ explore alternatives (if necessary)
- Avoid making assumptions on why requests wouldn't work – decisions should be based on facts
- Consider what precedents have already been set by the Company previously
- Assess requests using the same criteria and record previous decisions and the rationale behind them
- Consider trial periods to assess the request in real-time.

4. Communicate the outcome in writing

Whether a flexible working request is accepted or declined, an outcome must be communicated in writing. If you are accepting a request you should include:

- Confirmation of the outcome
- Confirmation of the new working pattern
- Effective date
- Impact on salary, holiday, place of work etc.

If you are declining a request, you should include:

- Confirmation of the outcome
- An explanation of the business reasons for declining a request. This must be in relation to one of more of the following reasons:
 - *it will cost your business too much*
 - *you cannot reorganise the work among other staff*
 - *you cannot recruit more staff*
 - *there will be a negative effect on quality of work*
 - *there will be a negative effect on the business's ability to meet customer demand*
 - *there will be a negative effect on performance*
 - *there's not enough work for your employee to do when they've requested to work*
 - *there are planned changes to the business, for example, you intend to reorganise or change the business and think the request will not fit with these plans*
- Information on how to appeal.



If you would like more information and support on handling flexible working requests, please contact Chelsey@agilehrconsulting.com

Employee Engagement Surveys

Employee engagement surveys remain one of the most powerful tools available to a business. Executed well, they provide clear insight into how your employees experience work, where leadership is succeeding, and where attention is needed. At Agile HR we can help your business craft the right questions and also interpret the responses and take the actions that deliver the greatest impact.

Survey Questions

Depending upon your business and its priorities, the themes you explore may include:

- Employee understanding of business goals / alignment
- Trust in leadership team / business direction
- Manager effectiveness
- Employee development and opportunities
- Reward and recognition
- Employee workload and general wellbeing
- Employee inclusion and belonging
- Open ended questions around what to improve / how to improve the workplace

Survey Best Practices

- Limit the number of questions and keep them concise
- Use a consistent scale (e.g. a 5 point scale of 5 = *Strongly Agree* etc)
- Ensure survey anonymity - to allow for the most honest answers

Evaluation and Action – Turning Insight into Impact

The real value of an engagement survey comes from analysing results and taking focused, visible action. To make the most of your insights:

- **Identity priorities** by thoroughly analysing the feedback
- **Communicate findings** openly with employees, sharing the positives and areas for improvement
- **Take action** - focus on a number of meaningful actions / assign ownership
- **Monitor progress** – ensure checks have been diarised or are on the agenda for leadership meetings
- **Update employees on progress** - when employees can see that their feedback leads to visible change, trust grows and employee engagement improves.

If you would like support with rolling out an engagement survey, please contact
hils@agilehrconsulting.com

