Unfair dismissal changes from 1 January 2027: one-page employer checklist

Important: General information, not legal advice; check with Acas or a qualified adviser for your situation. Applies to England, Scotland and Wales (not Northern Ireland). Prepared from official guidance as published on 17 November 2026.

What changes (England, Scotland, Wales)

• Qualifying period for ordinary unfair dismissal: **2 years → 6 months** [S1, S2].

• Applies where the effective date of termination is on or after 1 Jan 2027 [S3].

• Staff with 6+ months' service on 1 Jan 2027 are protected from that date [S5].

• **Compensatory award cap removed**; awards still based on actual and projected losses [S1].

• Right to request written reasons for dismissal: 2 years → 6 months; reply within 14 days [S1, S8].

• Spent convictions: qualifying period removed [S1].

What does not change

• Day-one protections (e.g. discrimination, automatically unfair reasons) [S1].

• Notice periods. **Statutory notice counts as service** for the qualifying period, even if not given; 1 week for 1 month to 2 years' service [S1].

• Probation is optional and can be any length; ending it early does not avoid other legal risks [S5].

• Northern Ireland is not covered [S1].

8 actions before 1 January 2027

☐ List staff, start dates and 6-month dates; flag who is protected on 1 Jan 2027.

☐ Check any dismissal now in progress: does notice end on or after 1 Jan 2027?

☐ Review probation length per role and set review points with time to decide before 6 months.

☐ Check contracts for an express right to extend probation; confirm extensions in writing before the original end date [S5].

☐ Remove "2-year" assumptions from handbooks and manager guidance.

☐ Make disciplinary and capability procedures follow the Acas Code [S6].

☐ Brief managers: clear expectations, honest feedback, written records.

☐ Plan fixed-term contract endings as fair dismissals where 6+ months' service [S1].

Sources

[S1] https://www.business.gov.uk/campaign/employment-changes/employers/unfair-dismissal-rights/

[S2] https://www.legislation.gov.uk/ukpga/2025/36/section/25

[S3] https://www.legislation.gov.uk/uksi/2026/559/made

[S5] https://www.acas.org.uk/probation-periods

[S6] https://www.acas.org.uk/acas-code-of-practice-on-disciplinary-and-grievance-procedures

[S8] https://www.gov.uk/dismissal

From Kinetic Media: the full **2027 Employer Ready Pack** (guide, 6-week plan and 9 editable templates) is at ukemployerready.site