

Insights

UK EMPLOYMENT RIGHTS ACT 2025: EXTENSION TO EMPLOYMENT TIME LIMITS

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Summary

From 1 October 2026 (**today**), most employment tribunal claims must be brought within six months, up from three months. The new limit applies where the relevant act, omission or effective date of termination (**EDT**) falls on or after 1 October 2026. The EDT is the date employment actually ends. Earlier claims remain subject to the three-month limit. For ongoing conduct, time runs from the last act in the series.

As a result, employers will now have to endure an even longer period of uncertainty on whether they are likely to be sued by their employees. In practice, the period of uncertainty may extend significantly beyond six months once you take account of a) any Acas Early Conciliation period, which was extended from six weeks to 12 weeks for any cases notified to Acas on or after 1 December 2025, and provides Claimants with an additional month after the conciliation period has ended in which to present their claim to the ET; and b) the typical wait times for Employment Tribunal's (which are severely under-resourced) to process the claim and notify the Employer.

A further consideration is the interaction between the extended time limits and existing delays within the Employment Tribunal system. The change may contribute to further pressure on an already stretched system, potentially resulting in claims taking even longer to reach a final hearing. In some regions, final hearings are already being listed as late as 2030.

The passage of time can adversely affect the quality of evidence available at trial, as witnesses' recollections may fade and key witnesses may have left the organisation, making them more difficult to contact and prepare.

Employers should ensure that:

1. Appropriate records and evidence are preserved for longer periods. This may require positive steps to transfer or save documents, particularly where employers operate systems that automatically purge evidence after a period of time;

2. Managers and HR teams are aware that claims may still be brought well beyond the previous three-month time limit;
 3. Witness statements are taken from key potential witnesses at a stage when memories are still strong. This may be necessary even before the claim has landed where the complaints are likely to be particularly complex and detailed; and
 4. Where key witnesses are planning to leave the company, consider how the Company might secure their future co-operation in the case, for example an upfront payment given under a settlement agreement to secure their commitment for support.
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Information correct as of 1 October 2026.

If you would like to discuss how these changes affect your organisation, please contact a member of [BCLP's UK Employment team](#).

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Meet the team



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