

Employment Tribunal Time Limits Double

From 1st October 2026, the time limit for bringing Employment Tribunal Claims has increased from 3 months to 6 months.

What does this mean for Employers?

The change will increase the period for which former employees can commence proceedings, potentially creating:

- Longer periods of uncertainty following workplace disputes. With ACAS early conciliation being increased to 12 weeks and the Tribunal taking up to 3 months to serve claims, employers may not be alerted to a claim for potentially a year until after the act.
- Increased risk of delayed claims, making it more difficult to investigate allegations as documents are lost and memories fade.
- Greater difficulty locating witnesses who have left the business
- Increase reliance on well-preserved documentary evidence including emails, notes, meeting records and HR documentation.

What can employers do?

- Ensure document retention processes are reviewed and updated to avoid vital evidence being inadvertently lost or deleted.
- Review disciplinary, grievance and performance management procedures to ensure that issues are documented and records retained. Robust processes will place employers in a stronger position if claims arise months later.
- Consider whether key witnesses may be needed in future proceedings when employees leave the business, and ensure up-to-date contact details are retained where appropriate.
- Consider resolving disputes at an earlier stage where appropriate, including through the use of settlement agreements to reduce the risk of future claims and prolonged uncertainty.

UPDATE

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Time to Prepare!