

Employment Rights Bill

THIRD MARSHALLED LIST OF AMENDMENTS TO BE MOVED ON REPORT

The amendments have been marshalled in accordance with the Instruction of 2nd July 2025, as follows –

Clauses 1 to 4	Clauses 58 to 87
Schedule 1	Schedule 7
Clauses 5 and 6	Clauses 88 to 128
Schedule 2	Schedule 8
Clauses 7 to 23	Clauses 129 to 132
Schedule 3	Schedule 9
Clauses 24 to 35	Clauses 133 to 146
Schedule 4	Schedules 10 and 11
Clauses 36 to 53	Clauses 147 to 149
Schedule 5	Schedule 12
Clauses 54 to 57	Clauses 150 to 157
Schedule 6	Title

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

After Clause 34

LORD CLEMENT-JONES

111ZA After Clause 34, insert the following new Clause –

“Workplace AI risk and impact assessments

- (1) Before implementing or developing an AI system which may have significant risks or impacts on employment rights and conditions in the workplace, an employer must conduct a workplace AI risk and impact assessment (a “WAIRIA”)
- (2) A WAIRIA must be conducted under this section if there is a potential significant risk or impact on –
 - (a) the identification or exercise of rights;
 - (b) recruitment;
 - (c) work access or allocation;
 - (d) remuneration or benefits;

- (e) contractual status, terms or conditions;
 - (f) mental, physical or psychosocial health.
- (3) A WAIRIA conducted under subsection (1) must –
 - (a) document the intended purpose and functionality of the AI system;
 - (b) establish a process for undertaking the monitoring of significant risks and impacts;
 - (c) document the definitions, metrics and methods selected for the WAIRIA;
- (4) Employers must review and update the WAIRIA –
 - (a) at least once every 12 months,
 - (b) whenever substantial changes are made to the AI system to which it relates, or
 - (c) when evidence emerges of unforeseen significant risks or impacts.
- (5) The Secretary of State must require any Fair Work Agency to issue guidance on the conduct disclosure and enforcement of WAIRIAs within 6 months of this section coming into force.”

Schedule 4

BARONESS BARRAN

111A Schedule 4, page 201, line 3, leave out “For the purposes of this Part,” and insert –

- “(A1) In the case of staff employed under subsection (3)(b) of section 148C, matters within the SSSNB’s remit are limited to the establishment of a framework to which employers of school support staff must have regard when discharging their functions.
- (B1) A framework under subsection (A1) must include information on –
 - (a) the remuneration of school support staff,
 - (b) the terms and conditions of employment of school support staff,
 - (c) the training of school support staff,
 - (d) career progression for school support staff, and
 - (e) related matters.
- (C1) When taking any action related to the matters in subsection (B1), an employer may disregard the framework only in exceptional circumstances.
- (D1) For the purposes of subsection (C1), the definition of “exceptional circumstances” shall be set out in regulations.
- (1) In the case of staff employed under subsection (3)(a) of section 148C,”

Member's explanatory statement

This amendment would change the matters within the SSSNB’s remit in relation to academy staff, limiting it to the creation of a framework to which academy employers must have regard in all but exceptional circumstances.

BARONESS BARRAN

111B★ Schedule 4, page 201, line 18, at end insert—

- “(3) The SSSNB must not restrict employers from introducing innovative or improved terms and conditions of employment beyond the national framework, provided that such terms meet or exceed any minimum standards set by the SSSNB.”

Member's explanatory statement

This amendment prevents the SSSNB from blocking employers who wish to adopt new or improved employment terms and conditions.

BARONESS JONES OF WHITCHURCH

112 Schedule 4, page 207, line 17, at end insert—

- “(6) Subsections (2) to (5)—
- (a) do not apply in relation to a term or condition of a person's employment if, and to the extent that, giving effect to the agreement would alter the term or condition to the person's detriment;
 - (b) do not prevent the terms and conditions of a person's employment from including a term or condition that is more favourable to the person than that which would otherwise have effect by virtue of those subsections.”

Member's explanatory statement

This amendment provides that an agreement of the School Support Staff Negotiating Body cannot alter a person's terms and conditions of employment to make the person worse off, and does not prevent an employer from offering more favourable terms and conditions than those provided for by the agreement.

BARONESS JONES OF WHITCHURCH

113 Schedule 4, page 207, line 29, after “apply” insert “(but see subsection (8))”

Member's explanatory statement

This amendment is consequential on my amendment of Schedule 4 at page 208, line 4.

BARONESS JONES OF WHITCHURCH

114 Schedule 4, page 208, line 4, at end insert—

- “(8) Subsections (4) to (7)—
- (a) do not apply in relation to a term or condition of a person's employment if, and to the extent that, giving effect to the regulations would alter the term or condition to the person's detriment;

- (b) do not prevent the terms and conditions of a person's employment from including a term or condition that is more favourable to the person than that which would otherwise have effect by virtue of those subsections."

Member's explanatory statement

This amendment provides that, where the School Support Staff Negotiating Body has been unable to reach an agreement about a matter and the Secretary of State makes regulations about the matter, the regulations cannot alter a person's terms and conditions of employment to make the person worse off, and do not prevent an employer from offering more favourable terms and conditions than those provided for by the regulations.

BARONESS JONES OF WHITCHURCH

- 115** Schedule 4, page 208, leave out lines 8 to 14

Member's explanatory statement

This amendment is consequential on my amendment of Schedule 4 at page 208, line 4.

BARONESS JONES OF WHITCHURCH

- 116** Schedule 4, page 208, line 22, leave out "(7)" and insert "(8)"

Member's explanatory statement

This amendment is consequential on my amendment of Schedule 4 at page 208, line 4.

BARONESS BARRAN

- 116A** Schedule 4, page 210, line 22, at end insert—

- "(2A) Before making or revising arrangements under sub-paragraph (1), the Secretary of State must publish and lay before Parliament an impact assessment of the costs for the education sector of any proposed arrangements."

Member's explanatory statement

This amendment introduces a requirement for the Secretary of State to undertake an impact assessment of the costs for the education sector before making or changing arrangements related to the School Support Staff Negotiating Body.

BARONESS BARRAN

- 116B** Schedule 4, page 211, line 30, at end insert—

- "(1A) The report must include an assessment of the increased costs to the education sector of any pay and conditions agreements made in that reporting year."

Member's explanatory statement

This amendment requires the annual reports of the School Support Staff Negotiating Body to include the cost of pay and conditions agreements.

Clause 44

BARONESS JONES OF WHITCHURCH

117 Clause 44, page 66, line 22, at end insert —

“(5) Subsections (2) to (4) —

- (a) do not apply in relation to a term or condition of a social care worker’s employment if, and to the extent that, giving effect to the agreement would alter the term or condition to the social care worker’s detriment;
- (b) do not prevent the terms and conditions of a social care worker’s employment from including a term or condition that is more favourable to the social care worker than that which would otherwise have effect by virtue of those subsections.”

Member's explanatory statement

This amendment provides that an agreement of a Social Care Negotiating Body cannot alter a person’s terms and conditions of employment to make the person worse off, and does not prevent an employer from offering more favourable terms and conditions than those provided for by the agreement.

Clause 45

BARONESS JONES OF WHITCHURCH

118 Clause 45, page 67, line 2, after “apply” insert “(but see subsection (8))”

Member's explanatory statement

This amendment is consequential on my amendment of clause 45 at page 67, line 10.

BARONESS JONES OF WHITCHURCH

119 Clause 45, page 67, line 10, at end insert —

“(8) Subsections (5) to (7) —

- (a) do not apply in relation to a term or condition of a social care worker’s employment if, and to the extent that, giving effect to the regulations would alter the term or condition to the social care worker’s detriment;
- (b) do not prevent the terms and conditions of a social care worker’s employment from including a term or condition that is more favourable to the social care worker than that which would otherwise have effect by virtue of those subsections.”

Member's explanatory statement

This amendment provides that, where a Social Care Negotiating Body has been unable to reach an agreement about a matter and the appropriate authority makes regulations about the matter, the regulations cannot alter a person's terms and conditions of employment to make the person worse off, and do not prevent an employer from offering more favourable terms and conditions than those provided for by the regulations.

Clause 46

BARONESS JONES OF WHITCHURCH

120 Clause 46, page 67, line 27, at end insert –

“(3A) Regulations under this section that by virtue of subsection (2)(b) make provision about the consequences of a failure to comply with a duty imposed by the regulations in relation to a provision of guidance or a code of practice must provide for the guidance or code to be laid before the appropriate legislature and subject to the procedure specified.”

Member's explanatory statement

This amendment provides that, where regulations under clause 46 provide for the issuing of guidance or a code of practice by the Secretary of State, and make provision about the consequences of a failure to comply with a duty imposed in relation to the guidance or code, the regulations must provide for the guidance or code to be laid before Parliament and to be subject to the procedure specified in the regulations. The amendment also imposes an equivalent duty in relation to regulations made by the Welsh Ministers or Scottish Ministers.

BARONESS JONES OF WHITCHURCH

121 Clause 46, page 67, line 28, after “section” insert “–

“the appropriate legislature” means –

- (a) in the case of regulations of the Secretary of State, Parliament;
- (b) in the case of regulations of the Welsh Ministers, Senedd Cymru;
- (c) in the case of regulations of the Scottish Ministers, the Scottish Parliament;”

Member's explanatory statement

This amendment is consequential on my other amendment of this clause.

Clause 49

BARONESS JONES OF WHITCHURCH

122 Clause 49, page 69, leave out lines 13 to 19

Member's explanatory statement

This amendment is consequential on my amendment of clause 45 at page 67, line 10.

After Clause 53

LORD HENDY

122A After Clause 53, insert the following new Clause –**“Statutory rights of GB-linked ships’ crews**

- (1) The members of the crew of a GB-linked ship shall be entitled to the statutory rights to which employees in the UK are entitled under statute.
- (2) In this section, “GB-linked ship” means a ship providing a service –
 - (a) for the carriage of persons or goods, with or without vehicles, and
 - (b) that is within subsection (3) or (4).
- (3) A service is within this subsection if it is operated between a place in Great Britain and another place in the United Kingdom.
- (4) A service is within this subsection if –
 - (a) ships providing the service entered a harbour in Great Britain on at least 120 occasions in the period of 12 months ending with the day on which one or more of the statutory rights referred to in subsection (1) is claimed, or
 - (b) 15 if the service has been provided for less than 12 months before that day, ships providing the service entered a harbour in Great Britain on at least 10 occasions in each month for which the service has been provided.
- (5) But a service is not within subsection (4) if the service –
 - (a) is for the purpose of leisure or recreation, or
 - (b) is provided by a fishing vessel.
- (6) In this section –

“harbour” has the same meaning as in the Harbours Act 1964;

“ship” has the same meaning as in section 193A of the Trade Union and Labour Relations (Consolidation) Act 1992 (see subsection (4) of that section).”

Member's explanatory statement

This new clause is intended to extend entitlement of the rights of GB-linked ships’ crews from the right to collective redundancy notification in clause 29 to entitlement to all statutory rights enjoyed by UK employees.

Clause 54

BARONESS JONES OF WHITCHURCH

123 Clause 54, page 73, line 32, leave out from “84A(2)” to end of line 34

Member's explanatory statement

This amendment, together with my other amendment of this clause, provides that regulations under new section 84A(2) of the Merchant Shipping Act 1995 giving effect to international agreements relating to maritime employment will be subject to the affirmative resolution procedure.

BARONESS JONES OF WHITCHURCH

124 Clause 54, page 73, leave out lines 37 to 42

Member's explanatory statement

See the explanatory statement for my other amendment of this clause.

After Clause 54

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

125 After Clause 54, insert the following new Clause —

“Right to opt out of collective agreements

- (1) A worker who is not a member of a trade union may elect, in writing, to opt out of the terms of a collective agreement that would otherwise apply to them under this Act.
- (2) In such a case, the worker shall be entitled to rely on the statutory rights conferred by this Act without reference to the collective agreement.”

Member's explanatory statement

This amendment provides non-union workers with the right to opt out of collective agreements, reinforcing individual freedom of contract and protecting access to statutory entitlements.

LORD PARKINSON OF WHITLEY BAY
LORD FAULKNER OF WORCESTER
THE EARL OF CLANCARTY
LORD PALMER OF CHILDS HILL

126 After Clause 54, insert the following new Clause —

“CHAPTER 4

INDUSTRIAL UNDERTAKINGS

Restriction on the employment of children in industrial undertakings

In section 1 of the Employment of Women, Young Persons, and Children Act 1920 (restrictions on the employment of women, young persons, and children in industrial undertakings), at the end of subsection (1) insert “(but voluntary work

on a heritage railway or heritage tramway is not employment in an industrial undertaking)”. ”

LORD HENDY

127 After Clause 54, insert the following new Clause –

“Sectoral collective bargaining

- (1) The Secretary of State may make regulations for the establishment of Statutory Joint Industrial Councils.
- (2) The regulations shall provide that –
 - (a) a Statutory Joint Industrial Council shall be composed of equal numbers of –
 - (i) nominees of employers’ associations (or nominees of employers) which appear to ACAS to represent employers in the sector, and
 - (ii) nominees of independent trade unions which appear to ACAS to represent workers in the sector;
 - (b) a Statutory Joint Industrial Council shall have the function of conducting collective bargaining to –
 - (i) establish levels and rates of remuneration (including pensions), terms, conditions and other benefits for those who work in the particular sector of the economy,
 - (ii) determine any other matter within the scope of section 178(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 (collective agreements and collective bargaining),
 - (iii) formulate its constitution and procedural arrangements including a dispute resolution procedure,
 - (iv) resolve any other matter which the Statutory Joint Industrial Council desires to consider;
 - (c) any agreements reached by a Statutory Joint Industrial Council shall apply to the workers and employers in the relevant sector save to the extent that a previous or a subsequent contract or collective agreement makes more favourable provision;
 - (d) it is for the Secretary of State (in the light of advice from ACAS) to determine what constitutes a sector of the economy for the purposes of establishing a Statutory Joint Industrial Council; and
 - (e) a Statutory Joint Industrial Council may only be made following consultation with –
 - (i) nominees of employers’ associations (and/or nominees of employers) which appear to ACAS to represent employers in the sector, and
 - (ii) nominees of independent trade unions which appear to ACAS to represent workers in the sector.
- (3) Regulations made under this section are subject to the affirmative resolution procedure.”

Member's explanatory statement

This amendment is intended to enable regulations to be laid for sectoral collective bargaining in particular sectors of the economy. The concept of the Statutory Joint Industrial Council is taken from s.90 and Schedule 8, Employment Protection Act 1975, reproduced in Part II of the Wages Councils Act 1979.

BARONESS BENNETT OF MANOR CASTLE

127A★ After Clause 54, insert the following new Clause –

“Review of the extent and impact of pay inequality

- (1) The Secretary of State must conduct a review of the extent and impact of pay inequality, with particular regard to the highest level of pay in comparison with the median and lowest pay in an enterprise, in large enterprises.
- (2) The review must be carried out no later than 12 months after the day on which this Act is passed.
- (3) The Secretary of State must publish the findings of the review within three months of its completion.
- (4) Large enterprises are those exceeding the medium-sized companies threshold under the Companies Act 2006.”

Member's explanatory statement

This new clause requires the Secretary of State to conduct and publish a review of the impact of pay inequality in large enterprises.

Clause 55

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

128 Clause 55, page 75, line 23, at end insert –

- “(8) The provisions inserted by this section do not apply to small businesses.
- (9) For the purposes of subsection (8), a “small business” means an undertaking which employs fewer than 50 employees.”

Clause 56

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL
LORD LONDESBOROUGH

129 Clause 56, page 76, line 35, at end insert —

“(c) may not be made if the employer in question is a small or medium-sized enterprise.”

Member's explanatory statement

This amendment and others in the name of Lord Sharpe of Epsom provide that a trade union cannot give an access request if the employer is a small or medium-sized business, unless the Secretary of State has provided for this in regulations. Such regulations (where they affect small or medium-sized businesses) may not be made before 6 April 2028, and without prior consultation and publication of an impact assessment. They also provide that the Secretary of State must consult and publish an impact assessment prior to making regulations to vary the required percentage.

LORD MOYNIHAN OF CHELSEA

130 Clause 56, page 77, line 2, at end insert —

“(3A) An access request under subsection (1) must specify a date or dates for the proposed access that are at least two working days after the day the request is given to the employer.”

Member's explanatory statement

This amendment requires unions to provide a minimum of two working days' notice before entering a workplace under a right of entry provision.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL
LORD LONDESBOROUGH

131 Clause 56, page 77, line 14, at end insert —

““small or medium-sized business” shall have the meaning given to it in section 7 of the Small Business, Enterprise and Employment Act 2015.

(7) The Secretary of State may by regulations made by statutory instrument provide for the disapplication of subsection (2)(c), whether in respect of small or medium-sized businesses of a specified class, or in respect of small or medium-sized businesses generally.

(8) Regulations made under subsection (7) may not be made—

(a) unless the Secretary of State has—

(i) consulted with small or medium-sized businesses and their representatives on the potential impacts of extending the

- provisions of this Chapter to small or medium-sized businesses;
- (ii) prepared and published a review on the impact of extending the provisions of this Chapter to small or medium-sized businesses, and laid a document containing that review before each House of Parliament;
- (b) in any event, before 6 April 2028.
- (9) A statutory instrument containing regulations under subsection (7) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This amendment and others in the name of Lord Sharpe of Epsom provide that a trade union cannot give an access request if the employer is a small or medium-sized business, unless the Secretary of State has provided for this in regulations. Such regulations (where they affect small or medium-sized businesses) may not be made before 6 April 2028, and without prior consultation and publication of an impact assessment. They also provide that the Secretary of State must consult and publish an impact assessment prior to making regulations to vary the required percentage.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 132 Clause 56, page 85, leave out lines 23 to 25 and insert “a panel of three members of the Committee”

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 133 Clause 56, page 85, leave out lines 26 to 29

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 134 Clause 56, page 86, leave out lines 9 to 15

Schedule 6

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 135 Schedule 6, page 227, line 12, leave out sub-paragraphs (3) and (4)

Member's explanatory statement

This amendment and others in the name of Lord Sharpe maintain the existing 10% membership threshold for union recognition applications by removing provisions that would have allowed this threshold to be modified through secondary legislation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 136 Schedule 6, page 227, line 22, leave out sub-paragraphs (6) and (7)

Member's explanatory statement

This amendment and others in the name of Lord Sharpe maintain the existing 10% membership threshold for union recognition applications by removing provisions that would have allowed this threshold to be modified through secondary legislation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 137 Schedule 6, page 241, line 16, leave out “the required percentage (see paragraph 171B)” and insert “10 per cent”

Member's explanatory statement

This amendment and others in the name of Lord Sharpe maintain the existing 10% membership threshold for union recognition applications by removing provisions that would have allowed this threshold to be modified through secondary legislation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 138 Schedule 6, page 243, line 10, leave out “the required percentage (see paragraph 171B)” with “10 per cent”

Member's explanatory statement

This amendment and others in the name of Lord Sharpe maintain the existing 10% membership threshold for union recognition applications by removing provisions that would have allowed this threshold to be modified through secondary legislation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 139 Schedule 6, page 244, line 12, leave out paragraph 34

Member's explanatory statement

This amendment and others in the name of Lord Sharpe maintain the existing 10% membership threshold for union recognition applications by removing provisions that would have allowed this threshold to be modified through secondary legislation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 140 Schedule 6, page 254, line 22, leave out “the required percentage (see paragraph 171B)” and insert “10 per cent”

Member's explanatory statement

This amendment and others in the name of Lord Sharpe maintain the existing 10% membership threshold for union recognition applications by removing provisions that would have allowed this threshold to be modified through secondary legislation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 141** Schedule 6, page 254, line 26, leave out “the required percentage” and insert “10 per cent”

Member's explanatory statement

This amendment and others in the name of Lord Sharpe maintain the existing 10% membership threshold for union recognition applications by removing provisions that would have allowed this threshold to be modified through secondary legislation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 142** Schedule 6, page 254, line 36, leave out “the required percentage” and insert “10 per cent”

Member's explanatory statement

This amendment and others in the name of Lord Sharpe maintain the existing 10% membership threshold for union recognition applications by removing provisions that would have allowed this threshold to be modified through secondary legislation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 143** Schedule 6, page 269, line 32, leave out paragraph 65

Member's explanatory statement

This amendment and others in the name of Lord Sharpe maintain the existing 10% membership threshold for union recognition applications by removing provisions that would have allowed this threshold to be modified through secondary legislation.

LORD LUCAS

- 144** Schedule 6, page 269, line 34, at end insert “constituting at least 3 workers”

Member's explanatory statement

This amendment seeks to avoid inadvertently putting further pressure on SMEs, by requiring further minimum thresholds for the required percentage.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL
LORD LONDESBOROUGH

145 Schedule 6, page 270, line 9, at end insert—

- “(5) Regulations made under sub-paragraph (2) that affect small or medium-sized businesses may not be made unless the Secretary of State has—
- (a) consulted with small or medium-sized businesses and their representatives on the impacts of varying the required percentage, and whether different provision should be made for small or medium-sized businesses;
 - (b) prepared and published a review on the impact on small or medium-sized businesses of varying the required percentage, and laid a document containing that review before each House of Parliament.”

Member's explanatory statement

This amendment and others in the name of Lord Sharpe of Epsom provide that a trade union cannot give an access request if the employer is a small or medium-sized business, unless the Secretary of State has provided for this in regulations. Such regulations (where they affect small or medium-sized businesses) may not be made before 6 April 2028, and without prior consultation and publication of an impact assessment. They also provide that the Secretary of State must consult and publish an impact assessment prior to making regulations to vary the required percentage.

Clause 59

LORD LEIGH OF HURLEY
BARONESS FINN

146 [Withdrawn]

LORD BURNS
BARONESS FINN
LORD SHARPE OF EPSOM

147 Leave out Clause 59

Member's explanatory statement

This amendment would retain the 2016 cross-party compromise (agreed by the House without a division) whereby new members of a union contribute to the political fund only if they have actively chosen to do so. That compromise was based on the conclusions of the Trade Union Political Funds and Political Party Funding Committee.

Clause 65

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL
LORD MOYNIHAN OF CHELSEA

- 148** Clause 65, page 96, line 23, leave out subsection (2)

Member's explanatory statement

This probing amendment would reinstate the 50% threshold requirement for industrial action to be voted on by a trade union and seeks to probe whether the Government perceives a risk to the democratic integrity of trade union ballots for industrial action as a result of the provisions to remove the 50% requirement.

LORD EVANS OF RAINOW

- 149** Clause 65, page 96, line 26, leave out paragraph (b)

Member's explanatory statement

This amendment would maintain the 50% threshold requirement in section 226(2)(a) of the 1992 Act for industrial action decisions. This represents a balance between protecting workers' rights while ensuring industrial action has broad workforce support.

Clause 72

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 149A★** Leave out Clause 72

After Clause 72

LORD HENDY

- 150** After Clause 72, insert the following new Clause –

“Right to take industrial action

- (1) The Trade Union and Labour Relations (Consolidation) Act 1992 is amended as follows.
- (2) In section 220 (peaceful picketing) –
 - (a) in subsection (1), for paragraphs (a) and (b) substitute “a place of work”;
 - (b) omit subsections (2) to (4).
- (3) Omit section 224 (secondary action).
- (4) In section 244 (meaning of “trade dispute” in Part V) –

- (a) in subsection (1), for “a dispute between workers and their employer which relates wholly or mainly to” substitute “a dispute between workers and one or more employers connected with”;
- (b) in subsection (5), for “a worker employed by that employer” substitute “a worker employed by an employer”.

Member's explanatory statement

These amendments would remove the provisions (in sections 224 and 244) that render unlawful all forms of ‘secondary’ industrial action including the rights of pickets to picket places of work other than their own.

Clause 73

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

151 Clause 73, page 101, line 27, at end insert –

“236E Actions short of a strike: exemption

- (1) The right of a worker not to be subjected to detriment under section 236A does not apply in cases where the worker is involved in one or more of the following activities –
 - (a) intimidation at picket lines,
 - (b) protests organised by trade unions in furtherance of a dispute –
 - (i) at the premises of a company,
 - (ii) at the private residences of senior managers, or
 - (iii) at the premises of other organisations that are connected with the dispute,
 - (c) harassment or bullying of non-striking workers, or those who are covering for striking workers,
 - (d) victimisation or harassment of senior managers, or
 - (e) action aimed at damaging property or disrupting business contingency planning.
- (2) The Secretary of State must ensure that the circumstances under subsection (1), in which the right of a worker not to be subjected to detriment do not apply, are set out in a code of practice.”

Member's explanatory statement

This amendment would disapply the right not to suffer detriment as a result of industrial action in certain circumstances.

Clause 75

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

152 Leave out Clause 75

Clause 77

LORD LEIGH OF HURLEY

152A Leave out Clause 77

Clause 78

LORD LEIGH OF HURLEY

152B Leave out Clause 78

After Clause 86

LORD LEIGH OF HURLEY

153 After Clause 86, insert the following new Clause –

“Consultation on trade union legislation

- (1) The Secretary of State must initiate a consultation on the effects of the provisions in Part 4 of this Act.
- (2) As part of the consultation under subsection (1), the Secretary of State must ensure that views are specifically sought from at least 500 small and medium-sized enterprises (SMEs).
- (3) The Secretary of State must lay before each House of Parliament, within 18 weeks of the initiation referred to in subsection (1), a report on the outcome of that consultation, including a summary of responses received from SMEs.”

Member's explanatory statement

This amendment requires the Secretary of State to undertake a consultation on the operation of trade union legislation and to ensure that at least 500 small and medium-sized enterprises (SMEs) are consulted as part of that process.

Clause 113

LORD CARTER OF HASLEMERE
LORD SHARPE OF EPSOM
BARONESS NEVILLE-ROLFE

154 Leave out Clause 113

After Clause 140

LORD LEIGH OF HURLEY

155 After Clause 140, insert the following new Clause –

“Consultation on labour market enforcement strategy

- (1) The Secretary of State must initiate a consultation on the effects of the provisions in Part 5 of this Act.
- (2) As part of the consultation under subsection (1), the Secretary of State must ensure that views are specifically sought from at least 500 small and medium-sized enterprises (SMEs).
- (3) The Secretary of State must lay before each House of Parliament, within 18 weeks of the initiation referred to in subsection (1), a report on the outcome of that consultation, including a summary of responses received from SMEs.”

Member's explanatory statement

This amendment requires the Secretary of State to undertake a consultation on the effects of the provisions in Part 5 of the Act and to ensure that at least 500 small and medium-sized enterprises (SMEs) are consulted as part of that process.

Schedule 10

BARONESS JONES OF WHITCHURCH

156 Schedule 10, page 282, line 28, leave out “that subsection” and insert “subsection (3)”

Member's explanatory statement

This amendment corrects an incorrect cross-reference.

BARONESS JONES OF WHITCHURCH

157 Schedule 10, page 293, line 17, at end insert –

“(ga) Schedule 1;”

Member's explanatory statement

This amendment provides for the repeal of Schedule 1 to the Immigration Act 2016 as a consequence of the abolition of the Director of Labour Market Enforcement.

BARONESS JONES OF WHITCHURCH

158 Schedule 10, page 293, line 19, leave out “9, 11,”

Member's explanatory statement

The effect of this amendment is to repeal paragraph 10 of Schedule 3 to the Immigration Act 2016, which is not needed as a result of the repeal of paragraphs 11 and 12 of that Schedule by the Bill.

Clause 149

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

158A Clause 149, page 149, line 32, at end insert “and provides for the early conciliation period to be extended from six weeks to three months”.

Member's explanatory statement

This amendment will ensure that the early conciliation period is proportionate to the extended limitation period for tribunal claims. This is necessary to promote the early resolution of claims and to clearly convey that, from a policy standpoint, there is active support for avoiding litigation.

Schedule 12

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

158B Schedule 12, page 309, line 10, at end insert –

“Employment Tribunals (Early Conciliation: Exemptions and Rules of Procedure) Regulations 2014

- 20 (1) The Schedule to the Employment Tribunals (Early Conciliation: Exemptions and Rules of Procedure) Regulations 2014 is amended as follows:
- (2) In rule 6 paragraph (1), for “six weeks” substitute “three calendar months”.
- (3) Sub-paragraph (2) does not apply unless the requirement for early conciliation is satisfied in accordance with rule 1 of the Schedule to the Employment Tribunals (Early Conciliation: Exemptions and Rules of Procedure) Regulations 2014.”

Member's explanatory statement

This amendment is consequential on Amendment 158A which provides for the extension of the early conciliation period.

After Clause 150

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL
LORD LONDESBOROUGH

159 After Clause 150, insert the following new Clause —

“Disapplication for businesses with fewer than 50 employees

None of the amendments made by sections 1 to 6, 8 to 13, 27, 55, 56 or 62 apply to businesses with fewer than 50 employees.”

Member’s explanatory statement

This amendment seeks to disapply specific provisions of the Bill for businesses with fewer than 50 employees.

THE EARL OF CLANCARTY
LORD FREYBERG
LORD CLEMENT-JONES
LORD SHARPE OF EPSOM

160 After Clause 150, insert the following new Clause —

“Independent Freelance Commissioner

- (1) There is to be an office known as the Office of the Freelance Commissioner.
- (2) The Office in subsection (1) must be established by the Secretary of State by regulations three months after the day on which this Act is passed.
- (3) The Office of the Freelance Commissioner will be led by an individual appointed by the Secretary of State titled the “Independent Freelance Commissioner”.
- (4) The role in subsection (3) is referred to as the “Freelance Commissioner”.
- (5) The Freelance Commissioner may appoint staff to the Office of the Freelance Commissioner they consider necessary for assisting in the exercise of their functions in subsection (6).
- (6) The Freelance Commissioner is responsible for —
 - (a) representing the interests of freelance workers in the application of employment rights under this Act,
 - (b) ensuring fair treatment of freelance workers across different sectors,
 - (c) regularly engaging with sectors with high proportions of freelance workers about the application of provisions of this Act,
 - (d) gathering and analysing data about the freelance workforce,
 - (e) identifying issues and finding solutions to challenges faced by freelance workers as a result of provisions in this Act, and

- (f) ensuring that the duty to consider the freelancer workforce under section (*Duty to consider freelancer workforce*) of the Employment Rights Act 1996 is discharged properly.
- (7) The Freelance Commissioner must publish an annual report on the discharge of their functions set out in subsection (6) and lay this report before Parliament.
- (8) For this purpose of this section, a freelancer is defined according to section (*definition of “freelancer”*) of the Employment Rights Act 1996.
- (9) Regulations under this section are subject to the negative resolution procedure.”

Member's explanatory statement

This amendment establishes the office of the Freelance Commissioner and makes provisions for relevant duties and responsibilities.

LORD CLEMENT-JONES
THE EARL OF CLANCARTY
LORD FREYBERG
VISCOUNT COLVILLE OF CULROSS

161 After Clause 150, insert the following new Clause —

“Definition of “freelancer”

After section 230 of the Employment Rights Act 1996 (employees, workers etc) insert —

“230A Definition of “freelancer”

- (1) For the purposes of this Act, a “freelancer” means an individual who is engaged to work by a company directly on flexible contracts, through their own company or through other companies on a short-term basis, and who is typically responsible for their own tax and national insurance contributions and is not entitled to the same employment rights as employees.
- (2) The Secretary of State may, by regulations, issue further guidance on the factors to be considered when determining whether an individual is a “freelancer” for the purposes of this Act, taking into account evolving working practices and relevant case law.””

Member's explanatory statement

This amendment provides a definition of a freelancer.

LORD CLEMENT-JONES
THE EARL OF CLANCARTY
LORD FREYBERG

162 After Clause 150, insert the following new Clause –

“Duty to consider freelancer workforce

After section 230 of the Employment Rights Act 1996 (employees, workers etc) insert –

“230A Duty to consider freelancer workforce

- (1) When formulating new policies or regulations that may impact the workforce, relevant government departments, including but not limited to the Department for Business and Trade, the Department for Work and Pensions, and the Department for Culture, Media and Sport, must have due regard to the specific needs and circumstances of the freelancer workforce, as defined in section 230A.
- (2) The Freelance Commissioner must be consulted during the development of any such policies or regulations to provide expert advice on their potential impact on freelancers.”

Member's explanatory statement

This amendment places a duty on government departments to consider the needs of freelancers when developing new policies and regulations.

LORD FREYBERG
THE EARL OF CLANCARTY
LORD CLEMENT-JONES

163 After Clause 150, insert the following new Clause –

“Impact assessment: arts and cultural organisations

Within 12 months of the day on which this Act is passed, the Secretary of State must publish an assessment of the impact of provisions in this Act on arts and cultural organisations.”

Member's explanatory statement

This amendment mandates the government to assess the financial impact of new employment protections on arts and cultural organisations.

LORD FREYBERG
THE EARL OF CLANCARTY
LORD CLEMENT-JONES

164 After Clause 150, insert the following new Clause –

“Independent review board

- (1) Within six months of the day on which this Act is passed, the Secretary of State must establish an independent review board to monitor the impact of changes made to employment rights by this Act on the arts and cultural sector.
- (2) The independent review board must –
 - (a) conduct annual impact assessments, including consideration of employment rates and sector growth,
 - (b) recommend policy adjustments if evidence shows that changes to employment rights made by this Act are leading to unintended consequences, and
 - (c) hear representations from trade unions, the arts and cultural sector and any other such persons they see fit.”

Member's explanatory statement

This amendment establishes an independent review board to monitor the real-world impact of employment reforms on cultural institutions through annual assessments and policy recommendations, ensuring that new regulations can be adjusted if they lead to unintended consequences such as job losses or organisational closures.

LORD FREYBERG

165 After Clause 150, insert the following new Clause –

“Ministerial responsibility for assessing and acting on the impact of this Act on freelancers

- (1) The Prime Minister must specify a Minister of the Crown to be responsible for assessing the impact of provisions in this Act on freelancers.
- (2) The Minister appointed by virtue of subsection (1) is responsible for –
 - (a) analysing available data about the freelance workforce,
 - (b) engaging with sectors with high proportions of freelance workers about the application of provisions of this Act,
 - (c) identifying issues and recommending necessary changes to improve employment rights for freelance workers.
- (3) Following an assessment under subsection (2), the Minister must take steps to –
 - (a) represent the interests of freelance workers in the application of employment rights under this Act,
 - (b) ensure fair treatment of freelance workers across different sectors,
 - (c) ensure that relevant government departments, including but not limited to the –

- (i) Department for Business and Trade,
 - (ii) Department for Work and Pensions,
 - (iii) Department for Culture, Media and Sport,
 - (iv) Department for Education, and
 - (v) Department for Science, Innovation and Technology,
- have due regard to the specific needs and circumstances of the freelance workforce.
- (4) The Minister must publish reports on the discharge of their functions set out in subsections (2) and (3) and lay this report before Parliament.
 - (5) For the purposes of this section, a “freelancer” means an individual who is engaged to work by a company directly on flexible contracts, through their own company or through other companies on a short-term basis, and who is typically responsible for their own tax and national insurance contributions and is not entitled to the same employment rights as employees.
 - (6) The Secretary of State may, by regulations subject to the negative procedure, issue further guidance on the factors to be considered when determining whether an individual is a “freelancer” for the purposes of this Act, taking into account evolving working practices and relevant case law.”

Member's explanatory statement

This amendment creates a dedicated ministerial position responsible for managing the impact of employment legislation on freelancers and makes provisions for relevant duties and responsibilities.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL
LORD LONDESBOROUGH

166 After Clause 150, insert the following new Clause —

“Review of impact on small businesses

- (1) The Secretary of State must conduct a review of the impact of this Act on small businesses.
- (2) The review must be carried out no later than 18 months after the day on which this Act is passed.
- (3) The Secretary of State must publish the findings of the review within three months of its completion.
- (4) In this section, “small business” means a business that employs fewer than 50 employees.”

Member's explanatory statement

This new clause requires the Secretary of State to conduct and publish a review of the impact of the Act on small businesses within 18 months of its passage.

LORD FREYBERG
LORD LONDESBOROUGH

167 After Clause 150, insert the following new Clause –

“Report: freelancers, self-employed persons and sole traders

- (1) Within nine months of the day on which this Act is passed, the Secretary of State must publish a report setting out –
 - (a) fixed definitions of the following categories of workers –
 - (i) freelancers,
 - (ii) self-employed persons, and
 - (iii) sole traders,
 - (b) an assessment of how the categories of worker in subsection (1)(a) may be impacted differently by the provisions of this Act, and
 - (c) recommendations to ensure fair and equitable treatment of workers across the categories in subsection (1)(a).
- (2) The Secretary of State must lay the report under subsection (1) before Parliament.”

Member's explanatory statement

This probing amendment seeks to clarify how the Government defines freelancers, self-employed persons and sole traders, and to understand how this Bill may affect those categories of worker.

LORD HOLMES OF RICHMOND

168 After Clause 150, insert the following new Clause –

“Employer use of AI

Any employer who develops, deploys or uses AI in relation to their workers must ensure that such use of AI adheres to the principles of –

- (a) safety, security and robustness,
- (b) transparency and explainability,
- (c) fairness,
- (d) accountability, assurance and governance,
- (e) accessibility and inclusive by design, and
- (f) contestability and redress.”

LORD HOLMES OF RICHMOND

169 After Clause 150, insert the following new Clause –

“AI responsible officers

- (1) The Secretary of State, having consulted those organisations and individuals that they consider appropriate, must by regulations provide that any business which develops, deploys or uses AI, in relation to their workers, must have a designated AI officer, with duties –

- (a) to ensure the safe, ethical, unbiased and non-discriminatory use of AI by the business in relation to their workers,
 - (b) to ensure, so far as reasonably practicable, that data used by the business in any AI technology is unbiased.
- (2) Regulations under subsection (1) are subject to the negative resolution procedure.
- (3) Section 414C of the Companies Act 2006 (contents of strategic report) is amended as follows.
- (4) After sub-paragraph (7)(b)(iii), insert –
 - “(iv) any development, deployment or use of AI by the company, and the name and activities of the AI officer designated under the Employment Rights Act 2025”.

LORD HOLMES OF RICHMOND

170 After Clause 150, insert the following new Clause –

“Employer and worker development, deployment or use of AI: Transparency, IP obligations and labelling

- (1) The Secretary of State, after consulting such persons as they consider appropriate, must by regulations provide that –
 - (a) any worker involved in training AI must –
 - (i) supply to the relevant Government department a record of all third-party data and intellectual property (“IP”) used in that training, and
 - (ii) assure the relevant department that they use all such data and IP by informed consent; and comply with all applicable IP and copyright obligations,
 - (b) any worker supplying a product or service involving AI must give customers clear and unambiguous health warnings, labelling and opportunities to give or withhold informed consent in advance, and
 - (c) any employer which develops, deploys or uses AI in relation to their workers must allow independent third parties accredited by a designated body to audit its processes and systems.
- (2) Regulations under this section must provide for informed consent to be expressed via an opt-in procedure.
- (3) Regulations under subsection (1) are subject to the negative resolution procedure.”

LORD HOLMES OF RICHMOND

171 After Clause 150, insert the following new Clause –

“AI use of a worker’s data

No worker’s data can be ingested by AI, sold on to AI businesses or used in AI in any way without the express consent, on an opt-in basis, of that worker.”

LORD HOLMES OF RICHMOND

172 After Clause 150, insert the following new Clause –

“AI use in the workplace

No worker can be subject to any form of AI in the course of their work without them being meaningfully informed that AI is being used and having the right to decide whether they will be subject to use of that AI on an opt-in basis.”

LORD HOLMES OF RICHMOND

173 After Clause 150, insert the following new Clause –

“Blind and sight-impaired people employment gap: Task and Finish Group

- (1) On the day on which this Act is passed, the Secretary of State must establish a Task and Finish Group to consider all the evidence as to why the level of employment for blind and sight-impaired people has remained so far below the overall employment level in the UK for so long.
- (2) The Group must produce a cross-economy, cross-society, cross-government action plan within 18 months of its establishment.”

LORD HOLMES OF RICHMOND

174 After Clause 150, insert the following new Clause –

“AI in recruitment and employment

- (1) On the day on which this Act is passed, the Secretary of State must commission a review into the uses of AI in the fields of recruitment and employment.
- (2) The review must consider –
 - (a) such matters as the creation of a new regulator for the uses of AI in recruitment and employment, and
 - (b) whether a cross sector, agile AI Regulator would enable the uses of AI in recruitment and employment to be covered alongside all other uses of AI in the economy, ensuring clarity and consistency of regulatory approach.”

LORD HOLMES OF RICHMOND

175 After Clause 150, insert the following new Clause –

“Task and Finish Group: AI in the workplace

- (1) On the day on which this Act is passed, the Secretary of State must establish a Task and Finish Group on AI in the workplace.
- (2) The Group in subsection (1) may consider issues such as the effect of AI on employees and their rights at work.
- (3) Within 12 months of the day on which this Act is passed, the Group established by subsection (1) must publish a report with recommendations to the Government and employers about the means by which AI-augmented work can be underpinned by trust and responsible development and deployment.
- (4) The Secretary of State must lay the report in subsection (3) before both Houses of Parliament.”

LORD HOLMES OF RICHMOND

176 After Clause 150, insert the following new Clause –

“Challenges posed by algorithmic allocation of work by employers

- (1) On the day on which this Act is passed, the Secretary of State must launch a project to investigate the potential challenges posed by the algorithmic allocation of work by employers.
- (2) Within 12 months of the day on which this Act is passed, the project must report to the Secretary of State with recommendations for statutory guidance to manage the challenges posed by the algorithmic allocation of work by employers.
- (3) The statutory guidance under subsection (2) must be underpinned by concepts such as –
 - (a) human in the loop procedures,
 - (b) right to challenge algorithmic decisions, and
 - (c) right to a readily understandable explanation of algorithmic decisions in a language or form of the employee’s choice.”

LORD FREYBERG

177 After Clause 150, insert the following new Clause –

“Statement: visual arts professionals

- (1) The Secretary of State must make a statement to Parliament setting out –
 - (a) the application of employment status to workers in the visual arts, in relation to their status as freelancers, sole-traders or self-employed persons,

- (b) the data collection methods used by the Government to quantify the number of workers in the visual arts sector, including how workers' earnings are recorded in that sector, particularly where workers may be involved in different forms of work, including freelancing, and
 - (c) whether in their view it is necessary to reform standard occupational categories (SOC) for data recording in the visual arts sector to reflect the nature of employment more accurately in the sector.
- (2) The statement under subsection (1) must be made within six months of the day on which this Act is passed."

Member's explanatory statement

This probing amendment seeks to clarify how the Government defines the employment status of visual artists and how it collects and records data on the visual arts sector. The amendment seeks to highlight the need for greater statistical visibility of artist professionals, and draws attention to the potential limitations of current Standard Industrial Classification (SIC) and Standard Occupational Classification (SOC) codes.

LORD FREYBERG

178 [Withdrawn]

LORD FREYBERG

179 After Clause 150, insert the following new Clause —

"Statement: employment in the craft sector

- (1) The Secretary of State must make a statement to Parliament setting out —
 - (a) the application of employment status to workers in the craft sector, in relation to their status as freelancers, sole-traders or self-employed persons,
 - (b) the data collection methods used by the Government to quantify the number of workers in the craft sector, including how workers' earnings are recorded in that sector, particularly where workers may be involved in different forms of work, including freelancing, and
 - (c) whether in their view it is necessary to reform standard occupational categories (SOC) for data recording in the craft sector to reflect the nature of employment more accurately in the sector.
- (2) The statement under subsection (1) must be made within six months of the day on which this Act is passed."

Member's explanatory statement

This probing amendment seeks to clarify how the Government defines the employment status of craft workers and how it collects and records data on the craft sector. The amendment seeks to highlight the need for greater statistical visibility of craft practitioners, and calls attention to the potential limitations of current Standard Industrial Classification (SIC) and Standard Occupational Classification (SOC) codes.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL
BARONESS FOX OF BUCKLEY

180 After Clause 150, insert the following new Clause —

“Review of the employment tribunal system

- (1) The Secretary of State must commission an independent review of the employment tribunal system.
- (2) The review must consider the operation of the system including its capacity, delays, resourcing, and the expected impact of this Act.
- (3) The review must be carried out no later than three months after the day on which this Act is passed and propose improvements to the system.”

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL
LORD ABERDARE
LORD KNIGHT OF WEYMOUTH

181 After Clause 150, insert the following new Clause —

“Consideration of apprenticeships in consultations

- (1) In any consultation related to provisions in this Act, the Secretary of State must ensure that due consideration is explicitly given to the impact of such provisions on apprenticeships, specifically in relation to recruitment of young people by small and medium sized businesses.
- (2) For the purposes of this section, “small or medium-sized business” has the meaning given in section 7 of the Small Business, Enterprise and Employment Act 2015.”

Member's explanatory statement

This amendment seeks to ensure that the Secretary of State gives due consideration to the impact on apprenticeships in any consultation carried out in relation to provisions in this Act, such as the consultations proposed in the implementation roadmap: “Implementing the Employment Rights Bill: our roadmap to deliver change”, published in July 2025.

BARONESS WOLF OF DULWICH
BARONESS GARDEN OF FROGNAL
LORD ABERDARE
LORD KNIGHT OF WEYMOUTH

182 After Clause 150, insert the following new Clause —

“Report: impact of this Act on apprenticeship recruitment

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must publish a report summarising the likely impact of the provisions in this Act on apprenticeship recruitment.

- (2) The report under subsection (1) must use information gathered in consultations carried out before this Act comes into force.
- (3) The Secretary of State must lay the report under subsection (1) before Parliament.”

Member's explanatory statement

This amendment would require the Secretary of State to publish a report summarising the likely impact of the provisions in this Act on apprenticeship recruitment. The report must pull together information gathered in consultations carried out before the Act comes into force, such as consultations under the implementation roadmap: “Implementing the Employment Rights Bill: our roadmap to deliver change”, published in July 2025.

LORD CLEMENT-JONES

183 After Clause 150, insert the following new Clause —

“Rights of dependent contractors

After section 201 of the Employment Rights Act 1996 (Power to extend employment legislation to offshore employment), insert —

“201A Rights of dependent contractors

- (1) A dependent contractor is an individual who —
 - (a) accepts responsibility for the performance of work or services under a contract that is not a contract of employment,
 - (b) such work or services are provided solely or substantially to a single entity that contracts for the supply to it of the same, and
 - (c) such contracting entity is not, by virtue of the contract, a client or customer of any profession or business undertaking carried on by the individual.
- (2) A dependent contractor, as defined in subsection (1), must be entitled to the following statutory rights —
 - (a) payment at or above the National Minimum Wage for all tasks performed,
 - (b) paid annual leave and shall be subject to the record-keeping duties as outlined for employees in this Act,
 - (c) pension auto-enrolment,
 - (d) protection from unlawful deductions from pay, and
 - (e) protection against discrimination under applicable equality legislation.
- (3) Any entity contracting with a dependent contractor for the supply or work or services to it must —
 - (a) put in place an insurance backed payment protection scheme that is wholly subsidised by that contracting entity and meets the criteria proscribed by Regulation to the benefit of the dependant contractor, and

- (b) allow the dependant contractor to temporarily cease provision of the services for any period that mirrors that taken by employees under statutory rights in respect of maternity or paternity leave or bereavement leave.
- (4) The payment protection insurance referred to in subsection (3)(a) above will apply during any such cessation of services.
- (5) Dependent contractors, as defined in subsection (1), are not entitled to –
 - (a) statutory redundancy pay;
 - (b) minimum notice periods for termination unless otherwise specified in their contract.
- (6) The Secretary of State may by regulations make further provision in respect of the rights and obligations of dependent contractors, including defining qualifying periods for certain rights.””

Member's explanatory statement

This amendment establishes a category of "dependent contractor" and sets out core statutory rights and protections for individuals who provide services predominantly to a single entity but are not classed as employees.

LORD LEIGH OF HURLEY

184 After Clause 150, insert the following new Clause –

“Consultation on Part 6

- (1) The Secretary of State must initiate a consultation on the effects of the provisions in Part 6 of this Act.
- (2) As part of the consultation under subsection (1), the Secretary of State must ensure that views are specifically sought from at least 500 small and medium-sized enterprises (SMEs).
- (3) The Secretary of State must lay before each House of Parliament, within 18 weeks of the initiation referred to in subsection (1), a report on the outcome of that consultation, including a summary of responses received from SMEs.”

Member's explanatory statement

This amendment requires the Secretary of State to undertake a consultation on the provisions in Part 6 of this Act and to ensure that at least 500 small and medium-sized enterprises (SMEs) are consulted as part of that process.

Clause 156

LORD SHARPE OF EPSOM
LORD LEIGH OF HURLEY

185 Clause 156, page 152, line 32, leave out paragraph (a)

Member's explanatory statement

This amendment is consequential on other amendments in the name of Lord Sharpe of Epsom and Lord Leigh of Hurley related to the commencement of Part 4.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

186 Clause 156, page 152, line 34, leave out subsection (2) and insert –

- “(2) Sections 1 to 9, 19 to 26, 27 to 34, 56, 61, 62, 73, 107, 113, 149, Schedules 1 to 3 and Schedule 10 may not be brought into force until –
- (a) the review established in section (*Review of the employment tribunal system*) has been published and laid before Parliament.
 - (b) the Government has considered the recommendations made in the review and the Secretary of State has published a plan outlining how and when any accepted recommendations will be implemented.”

Member's explanatory statement

This amendment would prevent the commencement of sections 1 to 9, 19 to 26, 27 to 34, 56, 61, 62, 73, 107, 113, 149, Schedules 1 to 3 and Schedule 10 of the Bill until an independent review of the employment tribunal system has been completed.

LORD LEIGH OF HURLEY

187 Clause 156, page 152, line 34, leave out subsection (2) and insert –

- “(2) No provision of Part 4 of this Act may be brought into force in accordance with subsection (3) until the report referred to in section (*Consultation on trade union legislation*) has been published.”

Member's explanatory statement

This amendment removes provisions to bring much of Part 4 of the Bill into force two months after the passing of the Act and makes commencement of Part 4 conditional upon the publication of a report arising from consultation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

188 Clause 156, page 152, line 34, leave out subsection (2) and insert –

- “(2) No provision of Part 4 of this Act may be brought into force before 1 January 2029.”

Member's explanatory statement

This amendment delays the commencement of Part 4 until 1 January 2029.

LORD LEIGH OF HURLEY

189 Clause 156, page 153, line 23, at end insert –

“(2A) No provision of Part 1 of this Act may be brought into force in accordance with subsection (3) until the report referred to in section (*Consultation on Part 1*) has been published.”

Member's explanatory statement

This amendment makes commencement of Part 1 conditional upon the publication of a report arising from consultation.

LORD LEIGH OF HURLEY

190 Clause 156, page 153, line 23, at end insert –

“(2A) No provision of Part 5 of this Act may be brought into force under subsection (3) until the report referred to in section (*Consultation on labour market enforcement strategy*) has been published.”

Member's explanatory statement

This amendment makes commencement of Part 5 conditional upon the publication of a report arising from consultation.

LORD LEIGH OF HURLEY

191 Clause 156, page 153, line 23, at end insert –

“(2A) No provision of Part 6 of this Act may be brought into force under subsection (3) until the report referred to in section (*Consultation on Part 6*) has been published.”

Member's explanatory statement

This amendment makes commencement of Part 6 conditional upon the publication of a report arising from consultation.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

192 Clause 156, page 153, line 23, at end insert –

“(2A) Sections 1, 9, 26 and 27 may not be brought into force before 1 January 2029.”

Member's explanatory statement

This amendment prevents clauses 1, 9, 26 and 27 of the Bill from coming into force until 1 January 2029.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 193** Clause 156, page 153, line 25, at end insert “but section 20 may not come into force until 1 October 2027.”

Member's explanatory statement

This amendment prevents Clause 20 from coming into force until October 2027.

After Clause 156

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- 194** After Clause 156, insert the following new Clause —

“Repeal

The following provisions of this Act are repealed at the end of the Parliament in which this Act is passed —

- (a) Part 4,
- (b) Part 5,
- (c) section 149, and
- (d) section 150.”

Employment Rights Bill

THIRD MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

17 July 2025

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS