



Women and Equalities Committee

11 February 2026

Rt Hon Peter Kyle MP
Secretary of State for Business and Trade

Non-disclosure agreements

Dear Secretary of State

The Women and Equalities Committee was delighted to see the inclusion of a ban on the misuse of non-disclosure agreements (NDAs) in the Employment Rights Bill.

For too long, NDAs have been used by people exploiting their power imbalance to prevent victims of discrimination, harassment and abuse from speaking about their experiences or from pursuing a resolution via the Employment Tribunal. Legally, NDAs cannot prevent people from reporting a crime, yet it is clear that they have acted as a deterrent from doing so.

This change in the law will make a real difference. However, some of the most at risk people are not currently covered by the protections being made available.

From my committee's work on misogyny in the music sector we know how freelancers, who make up three quarters of workers in the sector, have been silenced through the use of NDAs, nor do they benefit from access to protections against harassment. Across the creative sector as a whole, around a million workers are freelancers. As Zelda Perkins, founder of Can't Buy My Silence, told us, "For them to be discounted from worker status and protections, particularly around sexual misconduct and discrimination, is really shocking."

I note that the Government is due to consult on the secondary legislation that will underpin the protections from the misuse of NDAs. I urge the Government to take the steps necessary to ensure that freelancers will benefit from those protections. It would be simply unjustifiable to offer these protections for some workers but not all - especially in industries built on the backs of freelancers. It would also demonstrate your commitment to the government's aim of tackling VAWG.

A copy of this letter and your reply will be placed in the public domain.



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Yours sincerely,

Sarah Owen MP
Chair, Women and Equalities Committee

Cc: Dame Caroline Dinenage, Chair, Culture, Media and Sport Committee
Jess Phillips, Minister for Safeguarding and Violence Against Women and Girls