



EMPLOYMENT
LAWYERS
ASSOCIATION

www.elaweb.org.uk

Annual Report
2014 - 2015



Employment Lawyers Association
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Honorary Presidents of ELA

The Honourable Mr Justice Langstaff

President

Employment Appeal Tribunal
England & Wales

Judge Doyle

President

Employment Tribunals England & Wales

Shona Simon

President

Employment Tribunals Scotland

Lady Valerie Stacey

Chair

Employment Appeal Tribunal
Scotland

ELA Management Committee 2014 - 2016

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Bronwyn McKenna

Deputy Chair

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Catherine Taylor

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Fiona Bolton

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Marian Bloodworth

Chair, Legislative & Policy Committee

Jonathan Chamberlain

Chair, International Committee

Juliet Carp

Chair, Pro Bono Committee

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Paul Epstein QC

In-house Representative

Mark Hunt

Regional Representatives

Lower & South East – Claire Merritt

Midlands – Tariq Sadiq

North East – Anjali Sharma

North West – Bridget Tokhai

Scotland – Eleanor Mannion

South West – Harry Parker

Wales – Nick Cooksey

Members at Large

Lucy Bone

Daphne Romney QC

Nadia Motraghi

Christopher Edwards

Karen Mortenson

ELA Law Society Council Seat

Clive Dobbin

Vice President

Richard Fox

Life Vice Presidents

Dame Janet Gaymer DBE QC

Jane Mann

Fraser Younson

ELA Support

Head of Operations

Lindsey Woods

ELA Administration - Byword

Manager: Charley Masarati

Sandra Harris

Katie Jones

Jeanette Masarati

Finance Administrator

Angela Gordon

Website Manager

Cynthia Clerk

Website Support

Bronwen Reid, BR Enterprises Ltd

PR Consultants

Clare Turnbull, Kysen PR

Chair

Bronwyn McKenna, UNISON

Deputy Chair

Gareth Brahams, BDBF LLP

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CHAIR'S REPORT

Employment Law Landscape

As I write my Chair's report, the UK is only 2 weeks away from a general election. While this has not proved to be the general election of employment law as some had predicted, uniquely in recent elections, all parties' manifestos feature a significant number of proposals on employment law. One very helpful summary published by Sean Jones QC, of 11 KBW, on the Hard Labour blog spans 7 pages in small fonts. This degree of engagement across the political spectrum in employment law is unprecedented. All parties have sought to trail measures on zero hour contracts and the enforcement of the national minimum wage, to cite but two examples. It is likely that, therefore, whatever the character and multiparty dimension of the new government that May brings, employment law measures will feature strongly in the Queen's Speech.

In the post-election period, ELA will maintain its strictly non-partisan stance whilst ensuring that our members' views are represented. The 2011 survey of ELA members' views praised the work that was being done to prepare responses to consultations but stressed that more should be done both to promote this work and expand ELA's influence. This will be of paramount importance after the general election.

The Future of Employment Tribunals

The sterling work carried out by Jonathan Chamberlain, my successor as Chair of the Legislative & Policy Committee (L&P), and Stephen Levinson, Chair of the Employment Law Oversight subcommittee, over the past year ideally equips ELA to engage in discussions on employment law. Although the pace of changes to employment law has slowed inevitably as the election neared, L&P has continued its impressive work rate. A speech by the outgoing President of Employment Tribunals, HHJ Latham last summer, considered the role of Employment Tribunals and suggested changes to their jurisdiction and composition. This speech prompted a wider and continuing debate on questions such as the boundaries in jurisdiction between the Employment Tribunal and the civil courts and whether there is a case for specialist equality courts. It was clear that ELA must play a leading role in this debate. Given the wide variety of views which members are likely to hold, the Management Committee (ManCo) and L&P agreed to carry out a comprehensive survey of members to ensure that members' views could be represented in this debate. The survey closed in early April. Impressively, over 12% of members responded to the detailed survey. In the next few weeks and months, the survey result will be published to members and it will be used to guide ELA's participation in debates on the future of Employment Tribunals.

CHAIR'S REPORT cont.

Meetings with External Organisations

Over the past year, ELA has held meetings with HMCTS, the EHRC, ACAS and several government departments. Good relationships have been fostered with civil servants in BIS in particular and meetings have taken place at least every three months. The willingness with which these organisations have sought ELA's views is testament to the calibre of ELA members' contributions.

Liaison with Judiciary

ELA was grateful, too, that so early after his appointment, HHJ Doyle, the incoming President of Employment Tribunals in England and Wales, together with Judge Simon, the President of Employment Tribunals in Scotland, made time to meet with management ManCo members. Judge Doyle has since spoken in, or is scheduled to speak in, all ELA regions before the end of 2015. I am very grateful to both Presidents for the generous way in which they have given time to attend ELA events and meet ELA members. I would also like to express thanks to Mr. Justice Langstaff, President of the EAT, and Lady Stacey for their attendance at ELA regional events.

Regional Employment Tribunal User Group Meetings

Participation in regional Employment Tribunal user group meetings has been an important aspect of ELA's work at regional level over the last 2 years. These meetings allow ELA to track trends at regional level and engage with local judiciary and tribunal administration on issues of concern to ELA members. This work was expertly coordinated by Stuart Brittenden of Old Square Chambers when he was a member of ManCo. ELA remains grateful for his work in developing this initiative. Nadia Motraghi, also of Old Square, has now taken over this vital role. Thanks are due to Stuart, Nadia and of course to the ELA members who give up their time to attend meetings, write blogs and prepare reports of the meetings. In the interests of transparency, ELA has always been concerned to see publication of regional user group meetings as outlined in Richard Fox's Chair's report last year. I am delighted to say that careful liaison between Lindsey Woods, HMCTS and HHJ Doyle has resulted in MoJ's agreement to central publication of regional user group minutes.

CHAIR'S REPORT cont.

National Employment Tribunal User Group Meetings

I have attended National User Group meetings on behalf of ELA. The membership of this group has been expanded to include organisations including the EHRC, Public Concern at Work and Law Works. Topics at meetings have included listing practice, the impact of early conciliation, the falling volume of claims and changes to Employment Tribunal premises.

Improving Communications

Improving communication to and from members in a variety of ways including social media has been an important objective over the past year. The Association's LinkedIn page has been used to garner members' views. We have also sought to make greater use of @emplawyers to promote courses, talks and social events and to encourage members to participate in consultations. Daphne Romney QC has agreed to oversee this work on behalf of ManCo and to ensure that ELA has a strong presence in the #ukemplaw world.

Annual Lecture

The annual lecture this year involved a variation to the traditional format. Jan Gooding, Chair of Stonewall and Group Director at Aviva, spoke powerfully of her experience as an out gay woman in the corporate world. The event was skilfully chaired by Employment Judge Joanna Wade. Employment Judge Wade will already be known to those who have attended her ELA training events as an excellent speaker. We are grateful to both of them for their insights. I would also like to thank those firms who organised video links on the evening, thereby enabling ELA members outside London to attend. The lecture was filmed and many firms have requested copies in order to share the lecture with a wider audience.

We plan to have an additional event this year to be held jointly with ELBA and ILS to honour the enormous contribution made to employment law by HHJ Jeremy McMullen who sadly died this year. Richard Fox is very kindly liaising with ELBA and ILS.

CHAIR'S REPORT cont.

Regional ELA Groups

As Chair, I want to carry on Richard Fox's diligent attendance of regional events. I have attended events so far in Southampton, Leeds and Edinburgh and plan to attend as many as I can for the remainder of my term of office. Huge gratitude is owed to the regional representatives who work so hard, ably supported by Charley Masarati, to set up courses, talks and social events and then to chivvy attendance and to speakers who travel from region to region. The changes made to regional boundaries outlined in Richard's report of last year have led to new flurries of activity in Kent and Norfolk.

In-House Forum

As an in-house lawyer, I was surprised to learn that in-house lawyers account for 10% of ELA membership. Mark Hunt of BNY Mellon who represents in-house lawyers on ManCo established a forum for in-house members. A survey was carried out earlier this year to ascertain the ways in which ELA could support its in-house members. A social event was organised for February and was attended by almost 50 members. I was pleased to be invited to speak on the challenges of an in-house employment law role. Alistair McGregor, Head of HR at The Bank of Tokyo-Mitsubishi UFJ, Ltd, spoke on his varied career, which has included both in-house roles and roles heading human resources functions. I would like to thank Mark for all the work he has undertaken to support in-house members within ELA.

Law Society

Clive Dobbin of Paris Smith superbly represents ELA on the Law Society Council and on the Employment Law Committee of the Law Society of England and Wales. Clive has liaised closely with the Law Society on issues of concern to ELA members including legal expenses insurance. Thanks are due to Clive for this time consuming work.

Finally, leading ELA at a time of such change is an immense privilege. I am honoured to have succeeded Richard Fox who was also my predecessor as Chair of L&P. As in that role, Richard has been a valuable source of advice and guidance. ELA's wide range of activities would not take place without the dedicated staff at ELA and Byword. Lindsey Woods' organisational and diplomatic skills continue to inspire my awe and gratitude. There is no aspect of ELA's work which could take place so successfully without her. My thanks go to them all.

Bronwyn McKenna
ELA Chair

Treasurer

Catherine Taylor, Olswang LLP

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TREASURER'S REPORT

ELA's financial position continues in good health. 2014 showed a modest surplus of £2,109 (before tax).

The turnover in 2014 was £769,245, a reduction on 2013 turnover of £64,088. Training income fell by £71,541 compared to 2013. There were some changes to the 2014 training programme, resulting in three fewer training days being run. Further, the Transatlantic Conference, run jointly by ELA and the American Bar Association which the ELA International Committee hosts every other year in London, was held in 2013 but not in 2014. Membership subscription income for 2014 was £362,075, a slight increase of £10,775 compared to 2013.

Expenditure on training room hire appears to be a little higher than in 2013. However, this includes AV services/equipment which was categorised under 'other training costs' in 2013. Overall, Training expenditure in 2014 shows an increase of just under £10,000, despite having run slightly fewer day courses. This is mainly owing to the higher costs associated with running the Annual Conference and Dinner in London and partly because the courses we ran in 2014 were very well attended, thereby attracting higher costs.

Expenditure on social events increased significantly compared to 2013. Approximately £22,000 of this expenditure was on the events held around the UK which are an important benefit of ELA membership, enabling members to socialise and network. The increased expenditure is a real testament to our Regional Representatives and Charley Masarati, who have worked hard to arrange social events for members in every region.

The Management Committee continued the pro bono funding of £20,000 to each of the Free Representation Unit (FRU) and Bar Pro-Bono Unit, although the final £10,000 instalment to FRU for 2014 was not made until 2015, which is why the pro bono project figure appears to be £10,000 lower in 2014.

As at 31 December 2014, ELA's reserves totalled £479,359. This comprises the Emergency Fund of £250,000 and the Development Fund of £229,359. These funds help to ensure that ELA's future remains bright. They enable future management committees to plan for the growth of existing membership services and also allow innovation of new services and one-off projects. They also provide a financial cushion against any large drop in income.

TREASURER'S REPORT cont.

One such application for the Development Fund was decided by the current Management Committee in December 2014, when it was agreed to extend our existing offering of discounts on our training courses and evening sessions. Our Early Bird fees have been greatly enhanced and we have reduced the fees for our annual introductory courses. This is in addition to our current offering of 30% 'out of region' discounts on our course fees, along with free places on all evening/breakfast sessions around the UK for trainees/pupil barristers and members working in the not for profit and voluntary sectors.

I am very grateful to the following for their help during the year:

- Angela Gordon, our Financial Administrator, who is central to ELA's financial administration;
- Lindsey Woods and Charley Masarati who assist in managing and verifying ELA's income and expenditure;
and
- Crowe Clark Whitehill LLP, our auditors.

Catherine Taylor

Treasurer

SUMMARY OF ACCOUNTS

Income & expenditure account for the year ended 31 December 2014

| | 2014 | 2013 |
|------------------------------------|----------------|----------------|
| | £ | £ |
| Turnover | <u>769,245</u> | <u>833,333</u> |
| Less Overheads | | |
| Distribution expenses | 340,544 | 331,154 |
| Administration expenses | 430,438 | 479,695 |
| Operating Deficit / Surplus | 1,737 | 22,484 |
| Interest receivable | 3,846 | 8,042 |
| Interest payable | - | 2,048 |
| Surplus for the Year | <u>2,109</u> | <u>28,478</u> |

DETAILED ACCOUNTS

Income & expenditure account for the year ended 31 December 2014

| | 2014 | 2013 |
|--------------------------------|----------------|----------------|
| | £ | £ |
| Turnover | | |
| Membership subscriptions | 362,075 | 351,300 |
| Event income | 395,550 | 467,091 |
| Other income | 11,620 | 14,942 |
| | <u>769,245</u> | <u>833,333</u> |
| Distribution Expenses | | |
| Training room hire | 248,015 | 237,202 |
| Speakers' expenses | 16,668 | 11,398 |
| Webinar | 2,854 | 6,009 |
| Other training costs | 73,007 | 76,545 |
| | <u>340,544</u> | <u>331,154</u> |
| Administration Expenses | | |
| Social events | 30,200 | 17,822 |
| Consultancy fees | 85,190 | 76,513 |
| Web-site hosting & maintenance | 6,437 | 17,285 |
| Web-site refresh project | - | 27,527 |
| PR | 8,250 | 10,742 |
| Pro Bono project | 30,000 | 40,000 |
| Publishing | 111,566 | 120,093 |
| Auditors' remuneration | 5,150 | 5,600 |
| Bank charges | 2,863 | 2,707 |
| Administration | 150,782 | 161,406 |
| | <u>430,438</u> | <u>479,695</u> |
| Interest Receivable | | |
| Bank interest receivable | <u>3,846</u> | <u>8,042</u> |
| | 2014 | 2013 |
| | £ | £ |

Secretary

Fiona Bolton, Eversheds LLP

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SECRETARY'S REPORT

The membership figures for the year to 31 December 2014 show a very slight decrease from 6296 to 6093.

The figures break down as follows:

- **373 associate members** (comprising trainees/pupil barristers/academics/overseas members/judiciary). This is down from 447 in 2013.
- **5720 full members**. This is down from 5849 in 2013.

| | 2014 | 2013 |
|------------------|------|------|
| London | 2776 | 2975 |
| Lower South East | 393 | 435 |
| Upper South East | 521 | 576 |
| Midlands | 575 | 576 |
| North East | 417 | 431 |
| North West | 510 | 493 |
| Northern Ireland | 23 | 13 |
| Overseas | 52 | 21 |
| Scotland | 228 | 209 |
| South West | 428 | 399 |
| Wales | 170 | 168 |

This shows slight increases in membership in half of the regions: North West, Northern Ireland, Overseas, Scotland, South West and Wales. The largest decrease is shown in London.

There have been no changes to the Constitution this year.

I would like, as always, to thank Head of Operations, Lindsey Woods, and Charley Masarati and her team at Byword, who run the ELA Administrative Office, for their hard work and support.

Fiona Bolton
Secretary

Chair, Legislative & Policy Committee

Jonathan Chamberlain, Wragge Lawrence Graham & Co LLP

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LEGISLATIVE & POLICY COMMITTEE REPORT

Committee

Saphieh Ashtiany, Ashtiany Associates

Shubha Banerjee, Leigh Day

Trevor Bettany, Speechly Bircham

Emma Burrows, Trowers & Hamlins LLP

Kiran Daurka, Slater & Gordon (UK) LLP

James Davies, Lewis Silkin LLP

Robert Davies, CMS Cameron McKenna LLP

Felicia Epstein, ATL

John Evason, Baker & McKenzie LLP

Richard Fox, Kingsley Napley LLP

Peter Frost, Herbert Smith Freehills LLP

Janet Gaymer, DBE QC

Sarah Gregory, Baker & McKenzie LLP

Anna Henderson, Herbert Smith Freehills LLP

Anthony Korn, No 5 Chambers

Joanne Owers, Fox Williams LLP

Paul McFarlane, Weightmans LLP

Brona Reeves, Barclays plc

Stephen Levinson, Keystone Law

Bronwyn McKenna, UNISON

Paul Statham, Your Employment Settlement Service

Caroline Stroud, Freshfields Bruckhaus Deringer LLP

Ellen Temperton, Lewis Silkin LLP

Maeve Vickery, Pardoes LLP

Peter Wallington QC

James Warren, Field Fisher Waterhouse LLP

David Widdowson, Abbiss Cadres LLP

Fraser Younson, Squire Patton Boggs LLP

This year, it seems more apposite than ever to remind members that the Committee seeks to comment on legislation and policy from the perspective of all our members: does the measure or proposal do what those making it intend it to; what do we as practitioners think the effects in practice will be?

The polarities inherent in employment law are built into its very structure (lay members in Tribunals ‘from both sides of industry’ – although query for how much longer) but it seems in the last 12 months that the intensity of the ideological battle is as great as it has ever been. ELA’s unique perspective is that its members act for employers and employees, for companies and trade unions. Throughout all their work, the Committee and Working Parties have been scrupulous in maintaining that point of view, to the extent of declining to participate in one consultation (Bruce Carr QC’s review on the law governing industrial disputes) because we were unable to do so.

This, though, was the only (and necessarily) missed opportunity. Our neutrality opens many more doors than it shuts. ELA’s perspective is increasingly valued by policymakers. We have been invited by BIS to discuss our comments on certain areas in person: invitations we take up cautiously and when we are confident we can, ‘at the appropriate time’, report to members on how we have been representing them. In any event, we have regular meetings with BIS and HMCTS and have renewed contacts at the highest level in ACAS.

LEGISLATIVE & POLICY COMMITTEE REPORT cont.

The commitment of our membership is such that we have been able to respond to consultations launched with unhelpfully short timetables or over holiday periods. I am very grateful indeed to the many members who have chaired and contributed to our working parties. It is invidious to name individuals, but I have particularly appreciated the support from David Widdowson (for example, on zero hours contracts) and Stephen Levinson (for his work on the Employment Law Oversight Committee, our standing watchdog).

It is a commitment that we tested when we launched our survey on the future of Employment Tribunals, in response to the kite flown by David Latham, the outgoing President of the Employment Tribunals in England. Those members who designed the survey, under the chairmanship of Paul McFarlane, worked hard to ensure a balance between the time demanded of respondents and the weight ELA could place on their responses. The wider membership answered the call superbly, with 719 members, or 12% of the ELA membership (an excellent rate for such exercises, as our external consultants confirmed), taking the time to answer detailed questions and provide insightful comments.

I am writing this before the Election. Of all the major parties, only the Conservatives have not announced plans for employment law but the Party of Beecroft and the introduction of Tribunal fees seems to this observer perhaps unlikely to leave the field altogether. We can thus expect a very busy agenda in the months and years to come. I hope the Committee can continue to enjoy the support of member as we work to make the law they practice more effective for all of us.

Jonathan Chamberlain
Chair, Legislative & Policy Committee

ELA Standing Committees (2014-15)

Employment Law Oversight Sub-Committee

Chair

Stephen Levinson, Keystone Law Ltd

Sub-Committee

Michael Elks, RadcliffesLeBrasseur LLP

Chucks Golding

Jennifer Harper, Wragge & Co LLP

Anna Henderson, Herbert Smith Freehills LLP

Judith Hogarth, Excello Law Ltd

Anthony Korn, No5 Chambers

Bronwyn McKenna, UNISON

Jemma O'Reilly, Wragge & Co LLP

Peter Wallington QC

Chris Wellham, Hogan Lovells LLP

Future of Employment Tribunals Working Party

Co-Chairs

Jonathan Chamberlain, Wragge Lawrence Graham & Co LLP

Paul McFarlane, Weightmans LLP

Working Party

Lucy Bone, Littleton Chambers

Karen Bristow, Phillips Law

Richard Fox, Kingsley Napley LLP

Sally Gold, Cheshire East Local Authority

Lawrence Guyer, retired Employment Judge

Sean Jones QC, 11 KBW

Stephen Levinson, Keystone Law

Eleanor Mannion, Renfrewshire Council

Antonio Michaelides, Covington & Burling LLP

Ijeoma Omambala, Old Square Chambers

Joanne Owers, Fox Williams LLP

Jude Shepherd, 42 Bedford Row

Paul Statham, Your Employment Settlement Service

Brigitta Tokhai, Weightmans LLP

ELA Standing Committees (2014-15)

EHRC / BIS Maternity and Pregnancy Discrimination Research Project

Chairs

Anna Henderson, Herbert Smith Freehills LLP

Working Group

Judith Hogarth, Excello Law LLP

Rachel Irwin, Leigh Day

Julie Morris, Slater & Gordon (UK) LLP

Pia Sanchez, Lewis Silkin

ELA Consultations Submissions: May 2014 - April 2015

Consultation on Amendments to Employment Tribunal Postponement Procedures 18 March, 2015

Working Party

Anthony Korn, No 5 Chambers

Stephen Levinson, Keystone Law

ELA's Response to the European Commission Consultation on Review of the Working Time Directive 15 March, 2015

Chair

David Widdowson, Abbiss Cadres LLP

Working Party

Greg Chambers, Osborne Clarke LLP

Ronnie Clarke, OW Law

Annabel Mackay, Addleshaw Goddard LLP

Paul McFarlane, Weightmans LLP

Frank Morton, Burges Salmon LLP

Clare Primett, NHS Wales

Amy Rogers, 11 Kings Bench Walk

Anna Sella, Lewis Silkin LLP

ELA Consultations Submissions: May 2014 - April 2015

ELA's response to The Law Society of Scotland's discussion paper: "Legal Assistance in Scotland Fit for the 21st Century"

30 January, 2015

Co-Chair

Eleanor Mannion, Renfrewshire Council

Jonathan Chamberlain, Wragge Lawrence Graham & Co LLP

Working Party

Laurence G. Cunningham, Westwater Advocates

Russell Bradley, Ampersand

Paul Brown, DWF LLP

Kenneth McGuire, Westwater Advocates

ELA Response to EHRC Survey on Litigation Strategy

12 December, 2014

Chair

Kiran Daurka, Slater & Gordon (UK) LLP

Working Party

Saphieh Ashtiany, Ashtiany Associates

Nick Fry, Bindmans LLP

Sally Gold, Cheshire County Council

Harini Iyengar, 11KBW

Annabel Mackay, Addleshaw Goddard LLP

Alex Mizzi, Howard Kennedy LLP

Paul Statham, Your Employment Settlement Service

ELA Consultations Submissions: May 2014 - April 2015

ELA Response to BIS Consultation Trade unions: assured registers of members 4 December, 2014

Chair

Shubha Banerjee, Leigh Day

Working Party

Binder Bansel, Pattinson & Brewer

Martin Chitty, Wragge, Lawrence, Graham and Co LLP

Ronald Clarke, OW Law LLP

Shah Qureshi, Bindmans LLP

Paul Statham, Your Employment Settlement Service

Vince Toman, Lewis Silkin LLP

ELA Response to Department for Business Innovation and Skills consultation – Banning exclusivity clauses: tackling avoidance 3 November, 2014

Chair

David Widdowson, Abbiss Cadres LLP

Working Party

Tim Adkin, 42 Bedford Row

Ann Bevitt, Morrison and Foerster LLP

Raj Chahal, Trowers and Hamblins LLP

Catharine Cooksley, Burges Salmon LLP

Clare Fowler, Howells LLP

Kathryn Lloyd, Freshfields Bruckhaus Deringer LLP

Ken Morrison, Kingston University

Gemma Murray, Slater Gordon (UK) LLP

Clare Primett, NHS Wales

Michael Reed, Free Representation Unit

Tamsin Wallace, Eversheds LLP

Tim Wetherell, UNISON

Jim Wright, DWF LLP

ELA Consultations Submissions: May 2014 - April 2015

ELA Response to Bank of England, Prudential Regulation Authority and FCA Consultation on Risk & Reward: PRA CP15/14/FCA
27 October, 2014

Co-Chairs

Caroline Stroud, Freshfields Bruckhaus Deringer LLP
Stephen Levinson, Keystone Law

Working Party

Alice Greenwell, Freshfields Bruckhaus Deringer LLP
Jane McCafferty, 11KBW
Julie Morris, Slater & Gordon (UK) LLP
Tom Ogg, 11KBW
Andrew Taggart, Herbert Smith Freehills LLP
Alistair Woodland, Clifford Chance LLP

ELA Response to Bank of England, Prudential Regulatory Authority and Financial Conduct Authority Consultation on Strengthening Accountability in Banking : A new regulatory framework for individuals
27 October, 2014

Co-Chairs

Caroline Stroud, Freshfields Bruckhaus Deringer LLP
Stephen Levinson, Keystone Law

Working Party

Alice Greenwell, Freshfields Bruckhaus Deringer LLP
Jane McCafferty, 11KBW
Julie Morris, Slater & Gordon (UK) LLP
Tom Ogg, 11KBW
Andrew Taggart, Herbert Smith Freehills LLP
Alistair Woodland, Clifford Chance LLP

ELA Consultations Submissions: May 2014 - April 2015

ELA response to BIS consultation: Whistleblowing: prescribed persons - reporting requirements 29 September, 2014

Chair

Anthony Korn, No5 Chambers

Working Party

Lydia Christie, HowardKennedyFsi LLP
Arpita Dutt, Brahams Dutt Badrick French LLP
Jonathan Exten-Wright, DLA Piper LLP
Peter Jones, Rawlinson Butler LLP
Esther Langdon, Doyle Clayton Solicitors Ltd
Shona Newmark, Ayers Newmark Solicitors
Sarah Parkinson, Capsticks Solicitors LLP
Simon Rice-Birchall, Eversheds LLP
David Sillitoe, Lyons Davidson LLP
Robert Thomas, Speechly Bircham LLP
Catherine Turner, Berwin Leighton Paisner LLP
David Widdowson, Abbiss Cadres LLP

ELA Response to National Minimum Wage: draft consolidated regulations 14 September, 2014

Co-Chair

Michael Reed, FRU
Robert Davies, CMS Cameron McKenna LLP

Working Party

Tom Bernard, Howells LLP
Michael O'Donoghue, Bradford Law Centre
Sally Robertson, Cloisters
Christopher Wright, Christopher Wright & Co LLP

ELA Consultations Submissions: May 2014 - April 2015

ELA response to HM Treasury Call for Evidence on Remuneration Practices 9 September, 2014

Chair

Stephen Ratcliffe, Baker & McKenzie LLP

Working Party

Bernadette Daley, Cummins Ltd. Law Department

Emma Dickinson

Kevin Gude, Wragge Lawrence Graham & Co LLP

Gitali Melvin, Nuffield Health

HM Treasury Consultations on HMRC Administrative Changes - Response from ELA 9 September, 2014

Chair

Stephen Ratcliffe, Baker & McKenzie LLP

Working Party

Bernadette Daley, Cummins Ltd. Law Department

Emma Dickinson

Kevin Gude, Wragge Lawrence Graham & Co LLP

Gitali Melvin, Nuffield Health

ELA Consultations Submissions: May 2014 - April 2015

BIS consultation: Recruitment sector: prohibiting the advertising of jobs exclusively in other EEA countries

2 September, 2014

Co-Chairs

David Ludlow, Barlow Robbins LLP

Robert Davies, CMS Cameron McKenna LLP

Working Party

Tessa Fry, GSC Solicitors LLP

Philip Harman, DWF LLP

Esther Martin, CM Murray LLP

Simon Whitehead, HRC Law LLP

Phillippa Canavan, Squire Patton Boggs (UK) LLP

ELA's response to Bank of England, Prudential Regulation Authority consultation on Clawback: CP6/14

14 May, 2014

Co-Chairs

Stephen Levinson, Keystone Law

Caroline Stroud, Freshfields Bruckhaus Deringer LLP

Working Party

Alice Greenwell, Freshfields Bruckhaus Deringer LLP

Julie Morris, Slater & Gordon (UK) LLP

Andrew Taggart, Herbert Smith Freehills LLP

Alastair Windass, Clifford Chance LLP

Alistair Woodland, Clifford Chance LLP

ELA Consultations Submissions: May 2014 - April 2015

ELA response to EHRC Age Supplement to the Services, Public Functions and Associations Statutory Code of Practice
2 May, 2014

Chair

James Davies, Lewis Silkin LLP

Working Party

Claire Darwin, Matrix Chambers

Rachel Dineley, DAC Beachcroft LLP

Annabel Mackay, Addleshaw Goddard LLP

Lee Nair, Lewis Silkin LLP

Clare Primett, NHS Wales

Chair, Pro Bono Committee

Ruth Badrick, BDBF LLP

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PRO BONO COMMITTEE REPORT

Committee

Caroline Baker, GQ Employment Law

Talia Barsam, Devereux Chambers

Tom Croxford, Blackstone Chambers

Paul Daniels, Slater & Gordon (UK) LLP

Cyril Dennemont, Harold Benjamin

Emma Delap, Lewis Silkin LLP

Ming Henderson, Seyfarth Shaw (UK) LLP

Natasha Joffe, Outer Temple

Sean Jones, 11KBW

Simon Lawson, FRU

Rolleen McDonnell, BDBF LLP

Lia Moses, Law Works,

Michael O'Donoghue, Bradford Law Centre

Rhian Radia, Hodge Jones & Allen

Sophie Roberts, Penningtons Manches LLP

Polly Rodway, Brahams Dutt Badrick French LLP

Caroline Stroud, Freshfields Bruckhaus Deringer LLP

Samantha Smith, WH Law LLP

Punam Tiwari, IRM Plc

Sarah Tulip, Joseph Hage Aaronson

Rebecca Wilkie, Bar Pro Bono Committee

Emma Wilkinson, Citizens Advice Bureau

Ian Winrow, Bangor Law School

My primary focus since taking on the role of Chair of the Pro Bono Committee has been to reinvigorate interest amongst members in pro bono work.

The first task was to increase the membership of the Pro Bono Committee. We had an excellent response to a request for volunteers and now have a robust and diverse committee made up of barristers, solicitors and representatives from various pro bono organisations. This gives us the manpower and resource to be more effective and has also given us the benefit of fresh ideas and renewed enthusiasm.

The new committee has subsequently done the following:

- We conducted a survey of members to ascertain what we can do better, what new initiatives would be of interest and what support members need from ELA. We had an encouraging level of responses and are in the process of digesting and applying the results.
- We held a Pro Bono ReLaunch party on 16 April 2015. We provided an overview of the initiatives that ELA currently has in place, the changes that we've recently made and the new initiatives that we are planning to introduce during the course of 2015. We had a number of guest speakers, including the Chief Executive of the Bar Pro Bono Unit and both solicitors and barristers who have previously volunteered for the 100 Days Project. The turnout was excellent and the level of enthusiasm and passion amongst attendees was wonderful to see. We have already seen increased interest in pro bono work off the back of this event.

PRO BONO COMMITTEE REPORT cont.

- To date, over 300 days of pro bono support have been provided by ELA members under the 100 Days Project, which is a fantastic achievement. However it is fair to say that uptake has slowed down over the past year or so. We have been working hard over recent months to adapt the scheme and make it more attractive to members:
 - o We have extended the project so that it is no longer limited to advocacy only. We hope that this will encourage uptake from solicitors. The weekly emails which set out the available cases are now split into advocacy and advisory.
 - o We have taken steps to further publicise the mentoring scheme under which barristers from 11KBW and Matrix have agreed to mentor solicitors who volunteer for advocacy cases. This should encourage junior solicitors to get involved.
 - o We are encouraging barristers and solicitors to work together on cases in the hope that this will result in some of the longer, more complex, cases being picked up. This is an excellent opportunity for barristers and solicitors to build relationships and we have a standing list of barristers who are ready to volunteer on this basis.
 - o We have renewed our efforts to get firms and chambers to sign up for the One Case Project whereby they pledge that they will take on at least one pro bono case in 2015. We have had a great response so far.
 - o The 100 Days and One Case volunteers are listed at the end of the report as a thank you for their fantastic efforts.
- We are in the process of updating the pro bono section of the website to make it more user-friendly and we have begun using social media to publicise pro bono initiatives and further spread the word.
- We continue to have close relationships with FRU, The Bar Pro Bono Unit, LawWorks and Citizens Advice to ensure that we are deploying ELA's resources in the most effective way.
- We have conducted an initial review of the funding currently provided to FRU and The Bar Pro Bono Unit for the purposes of the 2014 budget. A wider review will be undertaken in the next couple of months in relation to 2015 and beyond.

PRO BONO COMMITTEE REPORT cont.

Ours plans for 2015 include the following:

- **The introduction of a quasi duty solicitor scheme at the Employment Tribunal** - The idea being you do not have to prepare anything in advance but you commit to a half or full day per month, to sit in a designated room at the Employment Tribunal and you do what you can to help unrepresented litigants - both claimant and respondent. We anticipate that this will range from general, procedural advice to representation at a Preliminary Hearing. We are hoping to start a pilot at London Central over the summer.
- **We are looking into a scheme which focuses on providing pro bono advice to SMEs, charities and not for profit organisations** - we understand that some members do not wish to advise claimants and would like to provide non-contentious advice. We are working to ensure that there are pro bono opportunities available to these members and we hope that this will encourage more respondent-focussed law firms to get involved.

Finally I would like to thanks Lindsey Woods, Cynthia Clerk and Charley Masarati at ELA for all of their assistance and support.

Ruth Badrick
Chair, Pro Bono Committee

100 Days Pro Bono Scheme

We are grateful to the following ELA members who have undertaken pro bono work under the 100 Days Pro Bono scheme between March 2014 – April 2015

Carl Atkinson, Gunner Cooke LLP

Ruth Badrick, BDBF LLP

Caroline Baker, GQ Employment Law

Laura Binnie, Blandy & Blandy LLP

Greg Cunningham, Westwater Advocates

Anna Curtis, Simpkins and Co Solicitors

James Dixon

Naomi Gyane, Pump Court Chambers

Stephanie Hayward, Guildhall Chambers / One Inner Temple Lane

Natasha Joffe, Outer Temple Chambers

Marc Jones, Turbevilles Solicitors

Soyoung Lee, 3HR Legal Limited

Jennifer McGrandle, Mayer Brown LLP,

Ravi Mehta, Blackstone Chambers

Martin Mensah, Atlantic Chambers

Tim Randles, Penningtons Manches LLP

Nathan Roberts, Cloisters

Gemma Robinson, Paris Smith LLP

Olivia Sinfield, PJH Law

Iqbal Sram

Sarah Stanzel, Tanfield Chambers

Sarah Tulip, Joseph Hage Aaronson LLP

Rebecca Turner, Pump Court Chambers

Catherine Urquhart, Ely Place Chambers

Robin White, Old Square Chambers

Gill Williams, Gregsons Solicitors

One Case volunteers

The following firms and chambers have pledged to take on at least one case from the 100 Days Project during 2015. If you want to add your firm or chambers to the list, please email Ruth Badrick ruthbadrick@bdbf.co.uk

12 King's Bench Walk

Addleshaw Goddard LLP

Brahams Dutt Badrick French LLP

Burges Salmon LLP

Charles Russell Speechlys LLP

Cloisters

Dechert LLP

Devereux Chambers

Farrer & Co LLP

Freshfields Bruckhaus Deringer LLP

Guildhall Chambers

Lewis Silkin LLP

Matrix Chambers

Memery Crystal LLP

Mischon de Reya

Norton Rose Fulbright LLP

Old Square Chambers

Olswang LLP

Outer Temple Chambers

Penningtons Manches LLP

St John's Buildings

St Phillips Chambers

Trinity Chambers

Trowers & Hamlins LLP

Editor / Chair, Editorial Committee
Alex Lock, DAC Beachcroft LLP

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EDITORIAL COMMITTEE REPORT

Editorial board

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Service

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Tariq Sadiq, St Philips Chambers

Mohinderpal Sethi, Littleton Chambers

Charles Wynn-Evans, Dechert LLP

The editorial board is made up of a diverse range of ELA members, including private practice solicitors from both respondent and claimant-focussed firms; counsel, in-house lawyers and consultants. Each gives their time freely and with great enthusiasm and our thanks go to them for that commitment.

The editorial board meets 10 times each year, producing a vibrant, interesting and dynamic employment law journal for our membership. ELA Briefing is one of the most widely-read employment law journals and is certainly one of the most prestigious in which to be published.

It is through the rigour of the members of the editorial board that we are able to maintain the quality of this publication. We reject between a quarter and a third of submissions we receive.

Most of the articles we publish are unsolicited and are usually received from practising employment lawyers in the UK, from relatively junior solicitors, through to the leading silks in the field. We also receive submissions from employment lawyers around the world, including the United States, Europe and the Far East.

As this year brings a General Election - as we did in 2010 - we invited the three main political parties to submit a two-page article on their proposals for employment law, if elected to government. We also published an article from the ELA Legislation & Policy committee on its views for reform of employment law, to give an expert and non-political perspective. Due to the election and manifesto timetables for the political parties, they were constrained in what they were able to announce and the depth and detail of what we received suffered as a result. We will review doing this again, which may be sooner than one thinks given the predictions of the opinion polls.

EDITORIAL COMMITTEE REPORT cont.

We have experimented further with digital media, tweeting a link to the editorial page of ELA Briefing, which can be freely-accessed on the website via the link, although the remaining content of the journal is strictly members only. The reasons for this experiment were to publicise the latest issue of ELA Briefing; to raise the profile of the ELA on social media; and to promote traffic to the ELA website. We will keep this under review and will report back with more data, once they are available and present a more detailed picture.

Finally thanks are due to all members of the editorial board for the huge amount of reading, writing, meeting and discussing they do; to Matt, our typesetter; Lee and the team at Thomson Reuters; Cynthia, our website manager; and, of course, to all those that contribute articles, whether they are published or not. Keep sending them in.

Alex Lock
Editor, ELA Briefing

Chair, Training Committee

Marian Bloodworth, Berwin Leighton Paisner LLP

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TRAINING COMMITTEE REPORT

Committee

Jo Broadbent, Hogan Lovells International LLP

Patrick Brodie, RPC LLP

Emma Clark, Abbiss Cadres LLP

Kevin Charles, Crossland Solicitors

Anthea Christie, Pattinson & Brewer

Nick Cooksey, River Chambers

Elizabeth Drake, Weightmans LLP

Sheila Fahy, Allen & Overy LLP

Sam Gage, Thomson Reuters

David Hunt, Farrer & Co LLP

Penny Hunt, Bird & Bird LLP

Tom Kerr Williams, DLA Piper (UK) LLP

Mhairi Letcher, The British Museum

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Hannah Mahon, GQ Employment Law

Eleanor Mannion, Renfrewshire Council

Adrian Martin, Burges Salmon LLP

Jonathan Maude, McGuireWoods (UK) LLP

Alice Mayhew / Chris Stone, Devereux Chambers

Claire Merritt, Paris Smith LLP

Alexandra Mizzi, Howard Kennedy LLP

Catriona Moffatt, Olswang LLP

Gemma Murray, Slater & Gordon (UK) LLP

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Georgina Rowley, DAC Beachcroft LLP

Tariq Sadiq, St Philips Chambers

Diya Sen Gupta, Blackstone Chambers

Anjali Sharma, DAC Beachcroft LLP

Nicholas Squire, Freshfields Bruckhaus Deringer LLP

Nicola Tager, Harbottle & Lewis LLP

Brigitta Tokhai, Weightmans LLP

Kathryn Weaver, Lewis Silkin LLP

Anna West, Travers Smith LLP

It has been another busy year for the Training Committee. I was fortunate to inherit from Gareth a programme and committee that was already in very good shape which has made my first year in the role so much easier. Aware of the level of interest in our work, we took the opportunity to invite applications for new Committee members and were overwhelmed by the response! It is important that the Committee properly reflects the membership and their training needs and I very much appreciate the range of views and perspectives that the Committee members bring to our meetings. I've also been further impressed by their continuing high levels of enthusiasm, commitment and generation of ideas.

We have worked hard this year to ensure that our offerings, whether evening sessions, national courses or the annual conference programme, deliver what our members need, and we always take into account the feedback we receive when devising new programmes. We have been trying different and more varied formats – and welcoming external speakers from time to time to join existing ELA speakers. In that regard, we have been delighted to work with David Thorneloe from BIS who has also agreed to speak at an evening session in June on the post-election employment landscape.

TRAINING COMMITTEE REPORT cont.

We recognise the need to ensure that the regions also benefit from the range of training topics and speakers and have been pleased to see so many training sessions being offered on a regional basis. In addition, we continue to provide webinars on a range of topics and I am pleased to note that these are now available free to all members. Current and past webinars can be accessed by members via the Training & Events section of the ELA website.

Thanks - as ever - to the Committee for its sterling work - a lot of thought and effort goes into thinking up ideas for our sessions and delivering the content and I am very grateful to them all. Special thanks must also go to Lindsey Woods, Charley Masarati and Cynthia Clerk without whom all of our ideas and plans would come to nothing - they make the training sessions and courses happen! Their enthusiasm and can-do attitude is an invaluable support both for me and the Committee as a whole.

Marian Bloodworth
Chair, Training Committee

Chair, International Committee

Juliet Carp, Dorsey & Whitney (Europe) LLP

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INTERNATIONAL COMMITTEE REPORT

Committee

Allison Brown, Google

Henry Clinton-Davis, Arnold & Porter (UK) LLP

Adam Creme, UNISON

David Cubitt, Osborne Clarke LLP

Rebecca Emmett, Rebecca Emmett Employment Law

Susanne Foster, CM Murray LLP

Edward Gelsthorpe, BAE Systems

David Gibson, DWF LLP

Jude Harris, DLA Piper (UK) LLP

Kathleen Healy, Freshfields Bruckhaus Deringer LLP

Ming Henderson, Seyfarth Shaw (UK) LLP

Stephen Levinson, Keystone Law

Toni Lorenzo, Lewis Silkin LLP

Frank Morton, Burges Salmon LLP

Amy Rogers, 11 KBW

Katie Williams, Mackinnons

Alistair Woodland, Clifford Chance LLP

Fraser Younson, Squire Patton Boggs LLP

ELA's International Committee has worked hard to deliver a better service to members, particularly to broaden ELA's offering to members based outside London.

Training on international topics has received good feedback and events are exceptionally well attended. In addition to training, the Committee engages with the European Commission and works with ELA's Legislative and Policy Committee to respond to consultations on international matters. We continue to build on our links with other employment lawyers associations, for example the European Employment Lawyers Association (EELA) and the American Bar Association (ABA). The Committee will be delighted to host ELA's fourth joint TransAtlantic Conference with the ABA on 28 September 2015.

We welcome suggestions for future sessions and activities and look forward to responding to members needs next year. Please do email Committee members with your suggestions either directly or care of lindseyw@elaweb.org.uk

I would like to take this opportunity to thank committee members and Lindsey Woods' team for all their work this year.

Juliet Carp

Chair, International Committee

ELA In-House Representative
Mark Hunt, BNY Mellon

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REPORT FROM ELA IN-HOUSE REPRESENTATIVE

I am pleased to report the formation of an In-House Sub-Committee, which is comprised of Paul Hodgson (Hampshire County Council), Nicola Middleton (Barclays plc), Claire Primett (NHS Wales Legal and Risk Services), Bona Reeves (Barclays plc), Alexandra Ward (Shell International Ltd) and Mark Hunt (BNY Mellon).

The Committee organised a reception on 12 February at Unison's HQ in London to launch the ELA In-House Forum, which was attended by approximately 50 in-house members who enjoyed some words of wisdom from Bronwyn McKenna and Angus McGregor (Head of HR at The Bank of Tokyo-Mitsubishi UFJ, Ltd) and the opportunity to network with each other over drinks.

The Committee also conducted a survey of in-house members to ascertain what they are looking for from ELA. As a result of the survey, it is clear that in-house members are appreciative of ELA's efforts to engage more with them and the opportunities that the In-House Forum presents to engage with each other. To that end, an informal gathering of attending in-house members will take place at the annual conference in May. In addition, the Committee is organising a half day conference for in-house members which will take place in early Autumn this year. We welcome further ideas and input from in-house members on possible further initiatives.

There is also an ELA LinkedIn site that is dedicated to in-house members who wish to initiate or participate in online discussions on issues and in-house members are encouraged to use this facility, should they wish to.

Mark Hunt, BNY Mellon
ELA In-House Representative

REPORTS FROM ELA REGIONAL REPRESENTATIVES

LOWER SOUTH EAST

I took over tenure as the Lower South East Regional Representative at the last AGM. I had been the informal Solent Region representative for quite some time, but this increased the area I was involved in significantly. Therefore in the last year I feel there have been two significant developments in the regions: first, the strength and breath of course in the Solent area and second the Kent region has formed its own Steering Committee and started to run events.

Solent

We have run a number of very successful sessions covering topics such as 'Employment Law and Modern Parenting' with Chris Jeans QC and Simon Kerr-Davis, Linklaters and 'Early Conciliation - Six Months On' from Donna Ivey at ACAS.

The Annual Solent Training day attracted numbers into the 70s, with a key note talk from Judge Brian Doyle about the Employment Tribunal system as it is and in the future. The other speakers included Damien Brown QC who spoke on New TUPE. We also had Stephen Wyeth, a local Barrister and Employment Tribunal Judge on Whistleblowing and then a final talk by Alastair Hodge from 5 Essex Court on Holiday Pay.

We held a very successful 2015 social at Chesil Rectory in Winchester with 25 Employment Lawyers, which had terrific feedback.

We also enjoyed good numbers for a talk from Robin White on 9 February and the Annual Lecture was successful by video link. We also have sessions coming up which are slightly wider in breadth than our typical focus. Given the new landscape of Employment Tribunal claims, we have talks entitled 'Masterclass - Employment claims in the Civil Courts' by Guildahall Chambers, 'Privilege, Practice and Pitfalls – A Closer Look at Legal Privilege' by Paul Esptein QC and finally a talk on 'Discrimination in the provision of goods and services – the developing landscape' from Claire Darwin and Annabel Mackay.

Kent

In summer last year, with the help of Charley Masarati, I sent an email inviting interest in a Kent/ East Sussex Steering Committee. We had a good uptake and on 13 October 2014 the first steering committee was formed from a various range of local lawyers. We had a very successful talk by David Reade QC in Kent in February held at Brachers LLP. We have had a follow up meeting / telephone call to plan the rest of the session for this year in Kent. The Kent Steering Committee, assisted by Charley, are making good steps to become a very established sub region.

REPORTS FROM ELA REGIONAL REPRESENTATIVES

LOWER SOUTH EAST cont.

Next Year

I believe that next year will have very much the same again and developing better links with speakers, and having a better ability to deal rapidly with new topics being discussed. Hopefully we can continue to deliver high level training in the region for all members.

Claire Merritt, Paris Smith LLP
ELA Lower South East Representative

MIDLANDS

The Midlands is a large and diverse region, which is reflected by its strong membership. The lecture programme has been extremely busy with 17 sessions taking place over the last 12 months, making the Midlands the busiest region outside London. The sessions have taken place not just in Birmingham, but across the Midlands region, including Nottingham, Leicester, Gloucester and Shrewsbury. I am grateful for the support of both Regional Employment Judges, Fiona Monks and Paul Swann in giving seminars to members.

To make ELA more relevant to the local needs of its members I have devolved some of the responsibility for seminars to area representatives. We now have area representatives in Gloucester, Leicester and Shrewsbury. A big thank you to the area representatives and the Midlands Steering Committee for all their hard work and support.

Social events in the Midlands are equally busy and benefitting members. Highlights have included a dinner at the Opus Restaurant in Birmingham, and a session followed by a dinner for Brian Doyle the President of the Employment Tribunals of England and Wales in March 2015.

Mr Justice Langstaff, the President of the EAT, has accepted my invitation to give a session, followed by a dinner in his honour on 17 June 2015 in Birmingham. This popular event is open to all ELA members, not just those based in the Midlands.

Finally, my thanks go to Charley Masarati for her unstinting support.

Tariq Sadiq, St Phillips Chambers
ELA Midlands Representative

REPORTS FROM ELA REGIONAL REPRESENTATIVES

NORTH EAST

The North East has a very large geographical region and covers South Yorkshire up to Newcastle. One of the early challenges I faced was being able to cover such a large area and ensuring that the entire North East membership was accounted for. As a result, I have the invaluable assistance of a Regional Sub-Representative, Donna Hunwick, of Sintons Solicitors, who does a fantastic job in helping to arrange seminars and socials in the Newcastle area.

This year, with the help of Charley Masarati, we set up a local Steering Committee, made up of members of the North East ELA membership who provided their views and thoughts on the kind of events and topics that they would like to see the ELA to host. This was an opportunity to identify potential speakers and topics. Meetings were also arranged with the representative of the local and national Bar to also gather their views and support.

As a result, last year, a dinner was organised in Newcastle at which Employment Judge Michael Malone spoke. This was the first event held in Newcastle for a number of years, and it was very well organised and attended – with many more to follow, I am sure. A seminar programme has been arranged, where we have focused on QCs providing seminars on unusual topics. We have so far welcomed Michael Duggan QC and Paul Epstien QC to the region, with more to follow in 2015, and a joint dinner with ELBA in June. One of the challenges which I have faced over the past few years is trying to get the members to engage with seminars and events held up the ELA. Thankfully we seem to have turned a corner and attendance at the dinner and the seminars has so far been fantastic. I hope that this continues.

One of the ideas was to move away from the more traditional evenings sessions and to try morning slots, which has proved popular, but we try to ensure that we have a seminar programme which caters towards the whole membership. Of course, I appreciate that there is a constant challenge in trying to distinguish ELA seminars from those presented by other organisations. However, the ELA does provide a great networking opportunity for members to share their views and opinions – whether that be from the voluntary, public or private sector, in-house lawyers and those in private practice, an exposure that you might not necessarily have at other events.

Of course, the highlight of the year will be welcoming the ELA Conference to Leeds this year, which I am sure will be a complete success given the number of attendees and the superb quality of speakers on the agenda.

Finally, my deep gratitude goes to Charley Masarati, who so skillfully organises our programme of events. Her support, commitment and unwavering good humour means she is a joy to work with.

REPORTS FROM ELA REGIONAL REPRESENTATIVES

NORTH WEST

We face the most momentous changes in employment law in this time. The introduction of the fees system, mandatory Early Conciliation and the 2013 Tribunal Rules since their inception, are areas that practitioners are anxious to engage with, to evaluate, and crucially, to debate. Some practitioners would argue the convergence of these three areas has had the reverse effect, that of curtailing access to justice, whilst others would argue the current system, is a more efficient, straightforward and economical system. At the time of writing, I also, like other practitioners, contemplate the face of the employment law landscape under the successive government, and wonder at what may come in the 2015 to 2020 term.

As practitioners, our tendency generally, is towards clarity and certainty. For some of us, these shifts in our legal landscape can be unsettling. With this in mind my first commitment to members as their regional representative, was to offer a comprehensive training programme, encompassing the full spectrum of employment law at all levels of expertise, which added value not only to members, but to their organisations and their clients.

I was keen this was a collaborative process, which would ultimately enhance connectivity within the region, by involving all branches of the local employment law community. To achieve this aim I invited members in the first instance, to join a steering group. The steering group would co-ordinate the training program and would be representative of the local employment law community. Our present steering group comprises claimant and respondent representatives, members of the local bar and judiciary. On-going dialogue with other regional representatives has proven an invaluable resource of mutual support.

The 2014/2015 programme is one of engaging and motivating events, that run across the spread of the north-west region. Training sessions scheduled in anticipation of major legislative or judicial change, on topics including Holiday Pay and Family Friendly Working are up-to-date and relevant. Multiple formats, including panel discussions on Early Conciliation, promise to fulfill our Chair, Bronwyn McKenna's, stated aim of fostering debate amongst our members. Better use of technology including video-linking sessions and our annual lecture has promoted cohesiveness within the region. I also campaign for sessions run in the central London region to be repeated or replicated in the north west.

REPORTS FROM ELA REGIONAL REPRESENTATIVES

NORTH WEST cont.

My second commitment to members was to promote excellence in employment law and enrichment of members through knowledge-sharing. To achieve this aim I was keen to maintain an ongoing dialogue with members. Their 'buy-in' was key. I welcomed members' feedback, comments and ideas and encouraged members to contact me via ELA's north west LinkedIn group or directly. I have also championed the interests of members through active participation in working parties, encouraging members of the steering group to engage in the respective debates thereby, ensuring north west members' views were represented.

We continue into 2015/2016 to face an up-hill battle, especially in Liverpool, to encourage up-take. We need to work hard to dispel any myths that engagement and thought-leadership is at its height in the London areas – we need to move away from a London-centric approach - doing so will ensure that we attract to the north west, the best speakers and raise our profile as north west practitioners.

My final word is to convey my deepest thanks to Charley Masarati and Lindsey Woods for their good counsel and unwavering support in this, my first term, as north west regional representative.

Bridget Tokhai, Weightmans LLP
ELA North West Representative

REPORTS FROM ELA REGIONAL REPRESENTATIVES

SCOTLAND

It has been a very busy year for ELA in Scotland since I took up the position as Regional Rep last June. One of my main aims was to increase membership engagement and ensure that irrespective of the geography involved, members were able to avail of ELA events in their area. To this end, drop-in drinks took place in Aberdeen, Edinburgh and Glasgow in November to launch the 2015 training and social calendar. This event will be taking place again in June and October. The training events organised for the first half of the year have covered a number of engaging and topical subjects given by a mixture of English and Scottish practitioners. So far the “live” session has taken place in Glasgow, with video links to Edinburgh, Aberdeen and Dundee where possible but upcoming sessions will be coming live from Aberdeen and we are hoping to expand on this. Video linking to the different cities can involve a little more time from the host firm who need to test the links, etc., so I would like to say an extra thank you to those who have generously hosted or have agreed to host an upcoming session.

Our most successful event so far took place in Edinburgh in March where the Honourable Lady Stacey gave a fantastic practical talk to the membership on her view from the EAT, followed by dinner. Plans are already afoot for next year’s dinner. Organising this busy social and training calendar could not have been done with the support and organisational assistance of Charley Masarati at ELA who is big part of why the regional events across the UK have been so successful in the last year.

Along with the social and training events, members also took part in a Working Party set up in December to address proposals from the Law Society of Scotland to change the Scottish Legal Aid system and specifically the proposal to remove civil legal aid for Employment cases. The view taken by the Working Party was that there was no merit in the proposal which raised serious access to justice and Article 6 concerns. I wish to thank the members of the Working Party who took the time to help draft the response paper and those members who provided their views during the consultation process.

Eleanor Mannion, Renfrewshire Council
ELA Scotland Representative

REPORTS FROM ELA REGIONAL REPRESENTATIVES

SOUTH WEST

The year 2014-15 saw the establishment of a South West Steering Committee involving members from firms and chambers in Bristol, Exeter and Taunton. Our aim has been to build on previous years to deliver an energetic programme of high quality, regular events, primarily in Bristol and Exeter.

We have largely achieved this in Bristol, with regular monthly events involving both solicitors and counsel, and both local and London practitioners, in each case attracting good attendance levels. We have deliberately sought to encourage law firm practitioners to deliver events, achieving success with Burges Salmon, Osborne Clarke and Freshfields providing excellent speakers.

In Bristol, with the support of our Regional Employment Judge Jonathan Parkin, we have also revived the tradition of the annual Christmas quiz, inviting our former Regional Employment Judge Christopher Tickle to reprise his role as quiz master. The 2014 Christmas quiz attracted fierce competition from over 90 members and teams of judges from Bristol and Cardiff, with local firms and chambers generously donating raffle prizes and helping us to raise funds for the Avon and Bristol Law Centre.

Engaging with local members has proved more of a challenge in Exeter but with the help of local practitioners, including Laura McFadyen, we have successfully arranged 4 training sessions (involving Exeter, Bristol and London counsel and a Bristol law firm) and we have a further event arranged for June 2015. Following feedback from local members, we have not sought to arrange monthly events in Exeter. We have also organised a 2014 Christmas dinner in Exeter which was attended by local practitioners and Exeter Employment Judge Christopher Carstairs.

ELA South West has also sought to help coordinate appointments for the Avon and Bristol Law Centre "volunteer solicitor" employment advice scheme by providing a point of contact and encouraging members to participate in this valuable community service.

This year's achievements would not have been possible without the enormous contribution made by Charley Masarati and the steering committee members.

Looking ahead, our steering committee has recently met to explore ideas for training and social events in the year 2015-16. We look forward to building on this year's achievements.

Harry Parker, TLT LLP
ELA South West Representative



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Annual Report
2014 - 2015



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