



# Annual Report

2021 - 2022

## Honorary Presidents of ELA

The Honourable Mrs Justice Eady  
**President**  
Employment Appeal Tribunal

Judge Susan Walker  
**President**  
Employment Tribunals Scotland

Judge Barry Clarke  
**President**  
Employment Tribunals England & Wales

## ELA Management Committee

**Chair**  
Marian Bloodworth

**Deputy Chair**  
Paul McFarlane

**Treasurer**  
Daniel Pollard

**Secretary**  
Judith Harris

**Editor, ELA Briefing**  
Marc Jones

**Chair, Training Committee**  
David Regan

**Chair, Legislative & Policy Committee**  
Caspar Glyn KC

**Chair, International Committee**  
Kathleen Healy

**Chair, Pro Bono Committee**  
Jennifer McGrandle

**In-house Representative**  
Ken Morrison

**Junior Lawyer Representative**  
Sophie Lockwood

## Regional Representatives

Lower South East – Sarah Hayes  
Midlands – Julie Duane  
North East – Leonora Morgan  
North West – Lindsey Knowles  
Northern Ireland – Shirley Blair  
Scotland – Fiona Herrell  
South West – Debbie Grennan  
Upper South East – Michael Duggan KC  
Wales – Jonathan Walters  
Yorkshire & Humberside – Marie Walsh

## Members at Large

Emma Clark  
Beth Hale  
Claire McCann  
Jessica Shemmings  
Ben Jones (Junior Member)

## Law Society Council Seat

Paul Singh\*

## General Counsel

Fraser Younson\*

## Vice President

Juliet Carp\*

## Life Vice Presidents

Dame Janet Gaymer DBE KC\*  
Jane Mann\*  
Fraser Younson\*

## ELA Operations

### Head of Operations

James Jeynes

### Finance Officer

Angela Gordon

### Website Manager

Cynthia Clerk

### Pro Bono Administrator

Christine Wheeler

### ELA Administration Office - provided by Byword

Manager: Charley Masarati

Penny Moorman

Nick Walsh

### Website Programmer

Bronwen Reid, BR Enterprises Ltd

### PR Consultants

Kysen PR

### Publishers – ELA Briefing and ELA Newsfeed

Thomson Reuters

\* N.B. Those individuals marked with an asterisk have not been appointed as statutory directors during the period 2021 to 2022

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## Chair

Marian Bloodworth, Deloitte Legal, Deloitte UK



## Chair's Report

Welcome to this annual report which is my last as Chair before I hand over the reins to Paul McFarlane. This report aims to give you a summary flavour of all of our activities and initiatives over the last year or so and for more details please do get in touch with any of the current or future management committee members.

It has been an interesting 12 months for ELA as we continued to juggle the ongoing challenges of the pandemic whilst welcoming the fact that workplaces and offices were opening up and the worst of Covid seemed to be over. We could not have foreseen some of the other issues that would make life further challenging for us all, with war in Ukraine, geo-political uncertainty both at home and abroad, climate change writ large and an energy and cost of living crisis – all of which provide the backdrop both to this report looking back, and for what is to come. Notwithstanding this continuing uncertainty, ELA has continued to thrive and to be a much-respected voice in the world of employment law, as Caspar notes in his L&P report, having had two opportunities to give evidence to Parliamentary Committees and having responded authoritatively to various calls for evidence and consultations.

As members may recall, last year I sadly reported on the untimely passing of two ELA members, and regrettably I also pause here to note the sudden passing earlier this year of Dr John McMullen, partner at Spencer West LLP and known to many members as a key figure and prolific author and speaker in the world of employment law, and a former member of the ELA Briefing Editorial committee. We thank him for all that he did to promote and develop employment law and extend our condolences again to his colleagues, friends and family.

### Looking back – the plan

Members may remember that when I took over as Chair, I devised a 5-point Chair's plan, the key aims of which are outlined below. We started work on this in 2020 and I report below on the ways in which we continued to work during 2021 to address the following:

1. steer ELA through Covid
2. steer ELA through Brexit
3. develop our diversity and inclusion initiatives
4. build membership and wider member engagement
5. ensure ELA is fit for 2022 and beyond

## Chair's Report *cont.*

### 1. Covid

The challenges of operating against the backdrop of a pandemic were sharply brought into focus when our very first social event in two years was nearly derailed by the emergence of the Omicron variant in December 2021. Happily, we were nonetheless able to go ahead, and the pleasure at being able to see members in person after such a long gap, was felt not just by me but by all those present.

Covid has continued to shape ELA and the way in which we deliver member services and benefits, and over the last 12 months we have worked hard to ensure that we continue to meet members' needs, both through the delivery of training – often virtual but increasingly in hybrid format – and the provision of pastoral care support. I am delighted that ManCo voted earlier this year to make the Pastoral Committee (that we set up when I took up post in 2020), a formal committee with a Chair position. I remain of the view that it has a very important role to play in ensuring we support members as they navigate the post pandemic world which continues to present a range of challenges for us all, from hybrid and remote working, through to economic pressures and the ever-present juggling of work and life demands.

We are also keen however to ensure that Covid has not robbed us of our ability to meet and engage, both in London and more particularly in the regions. There will be in person events to complement the virtual sessions and we are focussing efforts on supporting regional members to engage on a local level, as well as nationally – and to find opportunities for local employment law communities to connect in person.

### 2. Brexit

Our role in Europe and globally has never been more critical, as we seek to navigate the political and social impact of Brexit on members and their practices. We have continued to comment on Government calls for evidence and consultations relating to the impact of Brexit, through the work of the L&P Committee and have also engaged with BEIS as Caspar and Paul both note in their reports – and to whom I extend my thanks for their hard (and diplomatic) work in that regard! I would also like to thank the International Committee under the leadership of Kathleen Healy, as they have sought to ensure that we remain informed, as well as visible to employment law colleagues both in Europe and globally – through the training events they have put on, and though participation in conferences and events for global employment law organisations, including in July this year where I was delighted to speak on behalf of ELA at the ABA organised webinar on Economic Turbulence in the Modern Workplace.

There are others too within ELA who also play a role here (too many to mention, but you know who you are!) and who work tirelessly to ensure that our links with the ABA and EELA are not just maintained, but also strong and developing further. In particular we are keen to ensure that ELA's junior members experience the benefits and

## Chair's Report *cont.*

opportunities for international collaboration. I would also like to thank Paul, Deputy Chair, who spoke both at the ELA/ABA Transatlantic Conference last year, and at the EELA Conference in June this year on racial equity. It remains more important than ever that ELA has a voice and continues to participate in events such as these and I know that this will remain a priority going forward.

### 3. Diversity and Inclusion

This has remained a key focus for the last 12 months and I am grateful to Paul, Claire McCann (Member at Large) and the Racial Equality Committee (REC) for ensuring that issues of gender and racial equality and equity remain high on ELA's agenda – more details are available in Paul's report. There is of course always more that can be done, and I know that this will form an ongoing and significant part of Paul's own plan for his role as Chair.

### 4. Membership engagement

The relaxation of some of the Covid restrictions made it a little easier for members to engage in person – but as I note elsewhere, we have not yet been able to return to the levels of in person connectivity that we all enjoyed pre-pandemic. We have therefore worked hard to ensure that members continue to feel engaged in different ways – and as James reports, I am delighted to report an increase in membership numbers over the course of the last year, and I very much hope that this is part of a trend for greater engagement still. As Ken Morrison, In House Committee Chair notes, we are aware that there is much more than we can do for in house employment lawyer members and we are also aware that many of the Regional Reps are keen to encourage and foster greater engagement in their regions.

Where we haven't been able to meet in person, we have sought to increase the reach of our communications and to ensure that members are aware of the training offerings, including the ability to buy and watch sessions that have already taken place. Attendance and participation in our training events and webinars continues to be strong and my thanks go to the Training Committee for all their hard work in producing such a thorough and wide-ranging programme of events. I introduced the idea of video updates to give me a way to keep in touch with the membership when we couldn't meet in person, and I hope members have found them helpful. I have also used my Chair's column in ELA Briefing to highlight recent and future developments and to further connect members with the work of ELA and the Management Committee.

As Jenny notes in the Pro Bono report, rolling out our ELIPS programme of virtual support to litigants in person in the Employment Tribunals has also continued to provide a great way for members to get involved and to give something back. My thanks go to Jenny and her Committee, as well as all the ELIPS volunteers and Christine Wheeler for all of their hard work in ensuring these run so smoothly.

## Chair's Report *cont.*

### 5. Ensuring ELA is fit for the future

It was important to me as I took over the role, to commit to delivering ELA in good shape when my time in post ended. I am happy to report that as I leave the role, ELA is in great shape – thanks to the work that we have done as mentioned already above, but also with other initiatives such as the website redesign to ensure better functionality and user experience, and the innovations that Dan Pollard has overseen as Treasurer to ensure that our finances and systems run efficiently and effectively. With thanks to Dan, Judith Harris (Secretary) and Fraser Younson, we have introduced further policies and governance systems internally to ensure that ELA operates smoothly and consistently – knowing that each Management Committee are stewards for the next one – and for all of ELA's members.

That said we do not want to rest on our laurels, and I know that Paul, James and all those involved in the next Management Committee will be keen to ensure that ELA remains fit for the challenge facing us both in the next two years and beyond.

#### **And finally...**

It has been an honour and privilege to serve as ELA Chair. The challenge of taking over during a pandemic has made this a different experience to that of Chairs before me and it's a measure of the impact of Covid that we have only been able to have three in person events whilst I have been Chair. However, as I note above, we have had the opportunity to do lots of other things and in many ways the focus on virtual events has made our offering much more accessible and has allowed us to extend our reach to all members.

I would like to take this opportunity to thank all of the Management Committee for their hard work and enthusiasm over the last two years – they all give their time, energy and ideas as volunteers, in addition to their day jobs, and this commitment is very much appreciated. Their reports that follow highlight just how much work they have all put into their roles, please do read them and get in touch with the committees if you too would like to play a part in their valuable work.

I would also like to thank James Jeynes, our Head of Operations (and before him, Rebecca Churchill our Interim Head of Operations and of course Lindsey Woods), and his team (Angie Gordon, Cynthia Clerk and Christine Wheeler), all at Byword (Charley Maserati, Nick Walsh, and Penny Moorman) and Labyrinth, our technology support as well as Fraser Younson who has continued to act tirelessly as our General Counsel. ELA could not function without any of you and I am grateful for all your support.



## Chair's Report *cont.*

I'm confident that I am handing ELA over in great shape, with an engaged membership and a keen new Management Committee. I congratulate Paul again on his election as our new Chair and wish him and his new Committee every success as they guide ELA through the next two years. I look forward to seeing what is to come!



Marian Bloodworth  
**Chair**

## Deputy Chair's Report

Firstly, I would like to pay tribute to the work that our Chair, Marian Bloodworth, has done over the past two years. Marian has had to grapple with leading an organisation through the unique challenges that COVID brought us, together with Brexit and an uncertain geo-political landscape both in the UK and abroad. Marian is strategic, calm, well organised but also someone with a sense of fun. Through her leadership ELA has emerged a stronger and more resilient organisation ready to deal with the next challenge(s) put in front of it.

Over the past year I have continued to support Marian as Chair, in achieving her aims and objectives during her term in office. I have particularly focussed on two areas, namely: developing diversity and inclusion within ELA; and ensuring that ELA continues to have an effective voice with other stakeholders in the employment law space, including the Department of Business, Enterprise and Industrial Strategy ('BEIS') and internationally. Taking these in turn:

### **Diversity & Inclusion - Equitable briefing - gender**

In 2019/2020 ELA wanted to understand whether there was a problem with inequitable briefing at the employment bar. As a consequence we decided to work on an initiative to assess whether solicitors' briefing of counsel appeared to be equitable by reference to gender. This resulted in the Counsel Instructions Monitoring Scheme (CIMS) being born. Law firms represented on ManCo at that time agreed to take part in a pilot scheme to monitor their instructions of employment law counsel over a four-month period. We later extended this scheme to the wider membership where 55 firms signed up for CIMS 2020; with 35 providing their completed monitoring data. Of course, the pandemic intervened and resulted both in fewer instructions being given, and a delay in analysing that data.

A full report on the findings of the CIMS report can be found in January/February 2022 ELA Briefing. If you have not already done so, I would highly recommend that you read it. Our report concluded that: *"...the unexpected picture that emerged from ELA's CIMS 2020 is that briefing practices do not appear to disadvantage female counsel... However, gender may be playing a role in the decision-making process when briefing counsel, but the picture is not a negative one. It may well be that the activity of monitoring instructions by reference to gender, in and of itself, has the effect of creating a conscious or unconscious bias in favour of instructing women. Furthermore, there are disparities in the earning potential of barristers from minority groups, including women and those from ethnic minorities. The Bar Standards Board's analysis last year of the pay and ethnicity pay gaps at the Bar has made for depressing reading, with female barristers from minority ethnic backgrounds being the lowest paid whilst white male counsel are in receipt of the highest incomes..."*

I would like to thank Claire McCann, one of our outgoing Members at Large, for all the work she did on this initiative.

As we indicated back in January, the next crucial piece of work is to analyse whether the briefing practices of employment law counsel by reference to ethnicity show any cause for concern and ELA is committed to launching CIMS 2022 to examine that question. We will be looking for allies amongst barristers' chambers who specialise in employment law to volunteer to participate in that CIMS.

## Deputy Chair's Report *cont.*

### **Launch of the Race Equality Committee**

Last September ELA's Race Equality Committee ('REC') held launch event featuring Professor Andrews in conversation with Melvyna Mumunie (one of its members). Kehinde Andrews is Professor of Black Studies at Birmingham City University. It was an interesting discussion, which asked us to challenge how we look at the issue of race and racism in the UK.

REC continues to meet on a bi-monthly basis. Upcoming initiatives/events will include: a pilot reverse mentoring scheme; a career in employment law event aimed at students; and working with the Legislative & Policy Committee on the equitable briefing CIMS project as it relates to race. I would like to thank the co-chairs: Shubha Banerjee, Rebecca Hayes and Raoul Parekh and all the other members of this committee for their energy, enthusiasm and ensuring that the issue of race kept on ELA's radar.

### **Remaining an effective voice for UK employment lawyers - *Meetings with BEIS***

Over the past year our Legislative and Policy Committee Chair, Caspar Glyn QC and I have had meeting with representatives of BEIS where we have able to gain an insight into the government's priorities in terms of employment law and also share with them some of the concerns/issues that ELA members face in their practices. It is clear from these meetings that ELA's voice is both valued and respected.

### *Representing ELA at the ELA/ABA Transatlantic Conference & EELA Annual Conference*

I had the privilege of representing ELA at both of these conferences. At the former I was part of the panel for its plenary session: '*Managing the Workforce following the Global Reckoning on Racial Equity*'; at the latter I was part of a panel for one of the conference break-out sessions: '*Everyday racism: developing our understanding of racial micro-aggression in Europe*'. Both conferences were an opportunity for ELA to discuss with employment lawyers across the globe, employment law issues we all face and how we advise on them in our various jurisdictions. What pleased me the most was how valued ELA's voice is internationally. This is in no small part to the work that ELA's International Committee has done, led by Kathleen Healy, its Chair.

Finally, please do get involved in the work that ELA does. It really will add value to your practice and development.



Paul McFarlane  
Deputy Chair

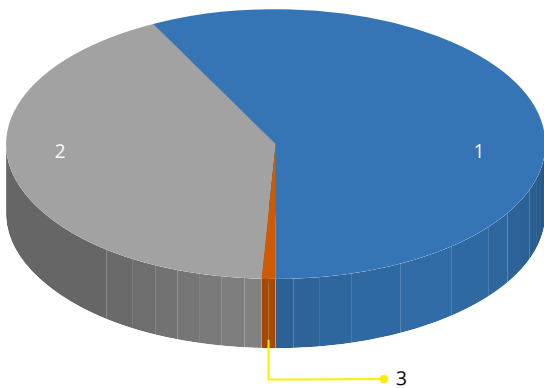
## Treasurer's Report

### Income

ELA has had another successful year from a financial perspective generating a surplus of £111,335 for the 12 months ending on 31 December 2021. This left ELA with total reserves at year end of £693,484 comprising a nominal emergency fund of £250,000 and a development fund of £443,484.

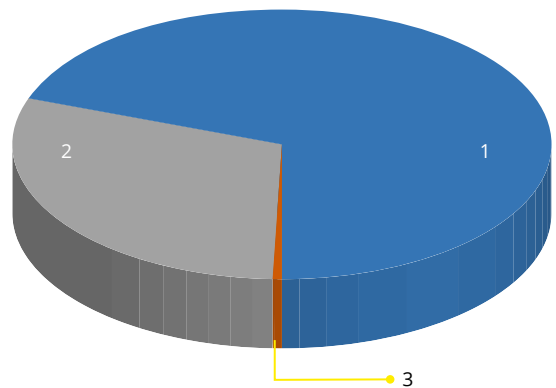
ELA's turnover for 2021 was £819,916 compared to £653,221 in 2020 representing a significant increase of £166,695 for the prior year. The increase in training revenue over 2021 (£341k) and 2020 (£194k) was partly due to a reduced programme that took place during 2020 as a result of the pandemic. For comparison against the last year not impacted by Covid-19 (2019) training income was £525,988.

A feature of the last couple of years has been our move towards online training. Whilst the Management Committee remain committed to in person events, online training has the advantage of not only being more accessible to the membership but is less expensive to produce as a result of not typically having venue costs. In 2020, 23% of our income came from online events whereas in 2021 this figure was 29%.



Turnover 2021

1	Subscriptions £473,057 57.7%
2	Training Events £341,963 41.7%
3	Other £4,896 0.6%



Turnover 2020

1	Subscriptions £455,461 69.7%
2	Training Events £194,487 29.8%
3	Other £3,273 0.5%

## Treasurer's Report *cont.*

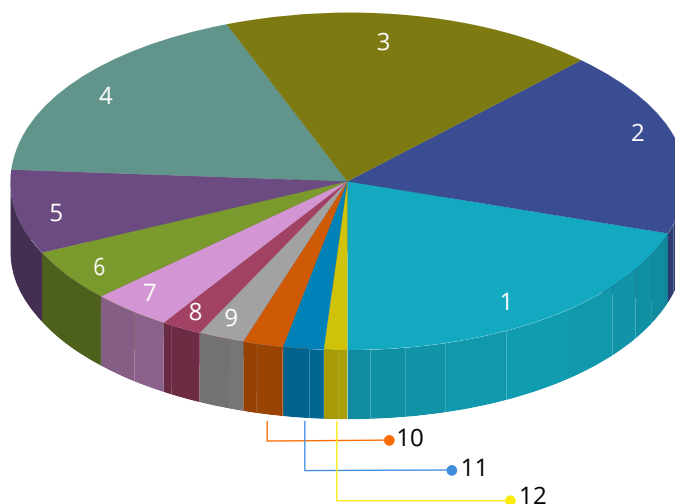
### Expenditure

ELA's total expenditure during 2021 was £709,835 compared to £585,767 during 2020. The increase was in most part a result of the return to some in-person events and social events, with spending on events and training increasing by £68,035.

ELA directly employs 4 staff and outsources its membership office and events management to Byword Business Services Limited. The total staff and associated costs were £178,537. Our estimated allocation of costs (including staff cost and overheads) to each of its activities is set out below:

**Allocation of direct costs and estimated allocation of staff and overheads (not audited).**

1	Face-to-face events	£142,722	20%
2	Online events	£129,102	18%
3	Membership Admin	£128,447	18%
4	Publishing	£126,110	18%
5	Pro Bono & ELIPS	£54,395	8%
6	Governance	£32,481	5%
7	L&P Committee	£28,714	4%
8	Socials	£17,695	2%
9	International Committee	£17,017	2%
10	Pastoral Committee	£16,479	2%
11	In-House	£14,100	2%
12	Diversity Initiatives	£3,708	1%



## Treasurer's Report *cont.*

ELA's estimated operating surplus from the in person and online events was estimated to be £246,066 for the year (in comparison to £161,499 for 2020).

The Management Committee have continued to debate how to make best use of ELA's accumulated surpluses. In recent years whilst the Management Committee have adopted a policy of maintaining a "balanced budget" ELA has achieved unbudgeted surpluses of £111,335 in 2021, £68,882 in 2020, £65,514 in 2019 and £65,513 in 2018. The Management Committee are conscious of the need to allocate ELA's funds towards ELA's objects and during the last year the Management Committee:

1. Committed to invest £50,000 in a complete rebuild of the public facing ELA website. To date and since the year ended £41,000 has been spent on the website rebuild first phase which includes adding a database of professional ELA owned royalty free images to use on the new website. This will be capitalised over 5 years.
2. Held membership fees flat. Membership fees were last increased in 2017
3. Approved a budget for 2022 which envisaged a deficit of £117,070
4. Spent £9,800 to survey members on the practice of employment law in Tribunals and with ACAS in order to create an evidence base to drive the change and proper resourcing that employment lawyers need.
5. Approved an initial budget of £5,000 to scope out a potential academic research project into the employment tribunal system and the challenges that it faces. The full cost of this kind of high quality academic research is in the region of £40-60,000 over a 2-3 year and the decision on whether to embark on this project will be one for the next Management Committee based on this initial scoping exercise.

The Management Committee have also debated whether to continue providing members with access to hard copies of ELA Briefing. In July 2022, figures show that ELA printed just under 3000 copies of ELA Briefing each month and just under 50% our members continue to receive a printed copy. This figure has reduced recent years and was hastened during the pandemic. One option would be to stop printing ELA Briefing in hard copy entirely and the other would be to offer a separate membership tier for members who wish to continue receiving printed copies. The Management Committee have also debated what to do with the significant cost saving that would be made as a result and one option would be to license some high quality third party content for the benefit of members.

As Treasurer, I have considered ways in which ELA can deliver its services more effectively and note that the cost of membership administration stands at 18% of costs (down from 21% in 2021). With effect from the 2023

## Treasurer's Report *cont.*

membership renewal cycle we will adopt a fully automated group renewal system which will allow group members to manage renewals on a self service basis as individual members have for a number of years. Any feedback from the membership on how this works in practice is most welcome. The excellent ELA team continue to look for ways to automate repetitive tasks to make our back office run efficiently.

On 27 April 2022, the Management Committee resolved to increase the nominal emergency fund from £250,000 to £350,000, leaving a development fund of £343,484. The purpose of the emergency fund is to nominally ringfence part of ELA's reserves whilst allocating part of ELA's reserves to develop ELA'S offering.

On a personal note, I will stand down as Treasurer following the AGM after four years in post and would like to formally extend my thanks for all the help and support offered to me over the period by everyone in the ELA team including Lindsey Woods, Rebecca Churchill, James Jaynes and our auditors. But special thanks are reserved for ELA's Finance Officer Angela Gordon whose hard work, dedication and good humour go largely unseen by the membership but without which ELA could not operate.



Daniel Pollard  
Treasurer

## Company Secretary

Jude Harris, DLA Piper LLP



## Secretary's Report

ELA is a not-for-profit members organisation, established as a private company limited by guarantee. ELA is governed by its Management Committee (ManCo), elected by and from the membership every two years. ManCo steers the policy and direction of ELA and its membership services. ManCo members are statutory directors and have responsibility for, among other things:

- Governance and compliance
- Finances
- Policy
- Ad hoc projects / new initiatives
- Activities of the Committees and Regional / Sector Representatives

There are currently 26 elected positions on ManCo:

### Officers:

- Chair, Deputy Chair, Treasurer and Secretary

### Committee chairs:

- Editorial Committee
- Legislative & Policy Committee
- International Committee
- Training Committee
- Pro Bono Committee
- In-house Committee
- Junior Committee

### Regional Representatives:

- Lower South East
- Midlands
- North East
- North West
- Northern Ireland
- Scotland
- South West
- Upper South East
- Wales
- Yorkshire & Humber

### 5 Member at Large positions



## Secretary's Report *cont.*

In June 2022, ELA ManCo voted to formalise the Pastoral Care Committee (which was created as part of Marian's Chair plan when she took post in September 2020) and to create an elected Chair's role which becomes our 27th ManCo place. I am pleased to say that Beth Hale, Partner and General Counsel, CM Murray LLP was elected to this role in the July ELA Elections and will lead this vitally important group forward over the next two years.

ManCo and all ELA sub-committees are made up of volunteers from the membership and include barristers, solicitors, in-house counsel and professional support lawyers from a cross-section of law firms, trade unions and businesses across the UK legal sector.

ManCo is supported by ELA's administration team, led by James Jeynes, ELA's Head of Operations, who was appointed in July 2021.

The ELA Elections took place in July 2022 and we were pleased to appoint candidates to 20 of the 27 available roles. Of the seven remaining roles we have already identified four candidates for co-option which will begin in October 2022 as the new ManCo begins its 2022-2024 term.

ManCo has continued to discuss the project to refresh ELA's Articles and bring them up to date, ensure that they are fit for the future and introduce a few substantive changes approved by ManCo, including a new category of membership for ELA alumni. The review process remains ongoing and ManCo will communicate more on this to members over the coming months so that members have plenty of opportunity to review and comment on the revised Articles before these are put to a members' vote at a future AGM.

As ever, the work that I and others do on ManCo would not be possible without the brilliant support that we receive from the ELA team, and from Fraser Younson in his role as General Counsel. My thanks go to all of them.



p.p. Jude Harris  
Company Secretary

# A year in Pictures

parliamentlive.tv

HOME EVENT GUIDE HELP SEARCH

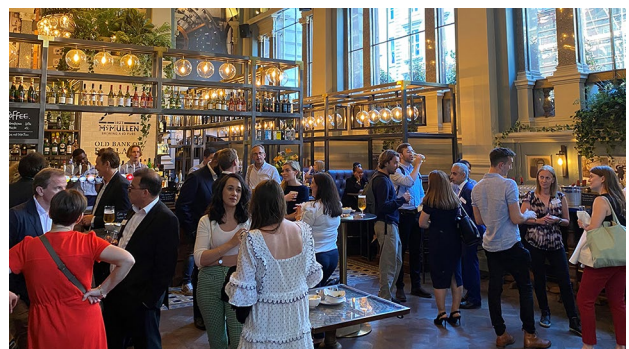
PLAYER

Women and Equalities Committee  
Wednesday 19 January 2022 Meeting started at 2.37pm, ended 3.57pm

AGENDA INDEX

14:37:36 Subject: Menopause and the workplace

14:37:57 Witnesses: Marian Bloodworth, Partner in Employment Law, Deloitte Legal, Chair, Employment Lawyers Association; Cate Davidson, Co-Chair, Discrimination Law Association; Head of Employment Law, Edwards Dalmeida Sharnack; Adam Pevey, Director of Employment and HR, Paterson Corporate



## Legislative & Policy Report

### **Committee**

Ivor Adair, Fox & Partners  
Shubha Banerjee  
Emma Burrows, Trowers & Hamblins LLP  
Anna Dannreuther, Field Court Chambers  
Kiran Daurka, Leigh Day  
Shantha David, UNISON  
Arpita Dutt, BDBF LLP  
Jonathan Chamberlain, Gowling WLG (UK) LLP  
Robert Davies, Gummer & Co  
Felicia Epstein, Brent Legal Services  
Clare Fletcher, Slaughter and May  
Richard Fox, Kingsley Napley LLP  
Peter Frost, Herbert Smith Freehills LLP  
Howard Hymanson, Harbottle & Lewis LLP  
Esther Langdon, Vedder Price  
Anthony Korn, No 5 Chambers  
Joanne Owers, DAC Beachcroft LLP  
Eleanor Mannion, MacRoberts LLP  
Elaine McIlroy, Brodies LLP  
Paul McFarlane, Capsticks LLP  
Stephen Ratcliffe, Baker McKenzie LLP  
Michael Reed, Free Representation Unit  
Louise Skinner, Morgan, Lewis & Bockius UK LLP  
Catrina Smith, Norton Rose Fulbright LLP  
Jennifer Sole, Curzon Green Solicitors  
Louise Taft, Jurit LLP  
David Widdowson, Abbiss Cadres LLP  
Alistair Woodland, Clifford Chance LLP

Last year I compared my contribution to a wedding speech, this year I shall stretch the simile to a politician's resignation letter although I move to new pastures with great memories and huge fondness for the whole team.

My report needs to pay tribute to the fiercely hard working members of the committee who spend hours and hours writing reports that engage Government. It is their expertise that makes policy makers sit up and listen. By way of

## Legislative & Policy Report *cont.*

an example, the House of Commons recently published their report on the Call for evidence into the Menopause in the workplace. References to ELA ran through the report like the name of a seaside town in a stick of rock.

The bulk of the work that is visible is responding to Consultations and Calls for Evidence although our role is not political. We do not set out to shape policy. Our sole aim is to ensure that the law is technically coherent for its users and in doing so we promote the best practice of employment law by delivering advanced works of scholarship, learning and expertise addressing the practical effects of proposals touching, during the last year on the following:

- Menopause and the Workplace
- Diversity and Inclusion in the financial sector – working together to drive change
- EHRC Strategic Plan 2022-2025
- Financial Conduct Authority: Diversity and inclusion on company boards and executive committees
- Information Commissioner's Office Employment Practices
- Making vaccination a condition of deployment in the health and wider social care sector
- Diversity and Inclusion in the Financial Sector
- Dispute Resolution in England and Wales
- Off Payroll Working
- Making Flexible Working the Default
- Human Rights Act Reform: A Modern Bill of Rights
- Retained EU Law: where next?
- Workplace Disability Reporting
- Labour Market Enforcement Strategy 2023 to 2024
- Rule changes on health and wellbeing at work
- Post-pandemic economic growth: UK Labour Markets
- Standards for Ethnicity Data

Hidden from sight we engage, often on a confidential basis, with Government in respect of, for instance, draft legislation and other discussions as to policy or Acas. I can't tell you about these engagements because our technical expertise will only influence policy if we keep these matters confidential. However, I can testify to the way in which many hardworking members of the committee have influenced hard legislation or softer guidance.

The Race Equality Committee is up and running and is energetically working to address diversity within the Association and encourage a more diverse cohort to join us as employment lawyers of the future. I pay testament to their hard work and their drive.

We shall continue to focus on making employment law better for its users and the employment justice system fit for purpose. As ever, our guiding principle is the rule of law: accessible and efficient employment justice for all within a reasonable period of time.

## Legislative & Policy Report *cont.*

We engage with the senior Tribunal Judiciary including both the Presidents and celebrate Susan Walker's appointment as President Scotland as we also mourn Shona Simon's retirement – she was one of access to justice's most vaunted defenders. We are grateful for the friendly engagement of all of the Regional Judges and the Presidents.

HMCTS are embarking on a reform of the ET system. It is a digitising agenda. I have pushed, and pushed for engagement and consultation with the biggest Association of Tribunal users – us. However, I cannot get much traction and this will remain a priority for the Committee moving forwards. We know how difficult it is in some areas to get timeous responses and we are passionate that digitisation should not be an opportunity missed to bring more efficiency to employment justice.

We have embarked on a research project where we are scoping a research question in order to commission a substantive piece of research on employment dispute resolution and how to improve it. Professor Catherine Barnard and Sarah Fraser-Butlin from Cambridge will shortly deliver Stage 1. We look forward to engaging with Tribunal users, Judges and other groups to pose the question for Stage 2 which will, we hope produce interesting and exciting policy questions.

My greatest joy is that, unlike a resigning politician, I know that the Committee will be in the safer and capable hands of Catrina Smith who has deputised as Chair for the past few years. She will bring intellect, expertise, experience, brio and an unequalled capacity for hard work to the role. I do wish her luck but the truth is she doesn't need it. She will be brilliant.

I would like to say thank you to James Jeynes, Christine Wheeler, Charley Masarati and all the members of the Committee and each participant of the working parties. You have all been quite marvellous.

Finally, I am sorry to say that unlike the resigning politician I am not quietly going to the back benches but look forward to next year as part of our Association as Deputy Chair.



Caspar Glyn QC  
Chair, Legislative & Policy Committee

## ELA Standing Committees (2021-22)

The ELA is grateful to those members who have been part of the ELA Standing Committees throughout this period.

### **Brexit Committee**

**Chair:** Louise Taft, Jurit LLP

### **City Regulation Committee**

**Chair:** Alistair Woodland, Clifford Chance LLP

### **Racial Equality Committee**

**Co-Chairs:** Shubha Banerjee, Raoul Parekh (GQ | Littler) and Bina Patel (Kingsley Napley LLP)

## ELA Consultation Submissions: July 2021 – August 2022

The ELA L&P Committee pull together a vast number of responses to calls for evidence and consultations throughout the year. Our thanks goes to those who give up their time to be part of the working groups who deliver time after time sometimes against short deadlines and often on very sensitive employment issues. The ELA responses we have submitted in the last 12 months are:

**Standards for Ethnicity Data**  
August 2022

**Post-pandemic economic growth: UK Labour Markets**  
July 2022

**Rule changes on health and wellbeing at work**  
July 2022

**Labour Market Enforcement Strategy 2023 to 2024**  
May 2022

**Workplace Disability Reporting**  
April 2022

**Retained EU Law: where next?**  
March 2022

**Human Rights Act Reform: A Modern Bill of Rights**  
March 2022

**Making Flexible Working the Default**  
December 2021

**Off-Payroll Working**  
October 2021

**Dispute Resolution in England and Wales**  
October 2021

**Making vaccination a condition of deployment in the health and wider social care sector**  
October 2021

**ICO Employment Practices Call for Views**  
October 2021

**Diversity and Inclusion on Company Boards**  
October 2021

**Employment and Human Rights Commission Strategic Plan 2022-2025**  
September 2021

**Diversity and Inclusion in the Financial Sector**  
September 2021

**Menopause and the Workplace**  
September 2021

## Chair

Jennifer McGrandle, Dechert LLP



## Pro Bono Committee Report

I was elected as Chair of the Pro Bono Committee in 2020, having covered the role on an interim basis for a short period prior to that. My stated aims during the nomination process were to provide an online ELIPS service during and beyond lockdown and to continue to oversee the excellent pro bono work done by ELA's members.

### The Pro Bono Committee

Jennifer Allan, Slaughter and May

Clare Brereton, BDBF LLP

Lucy Burrows, BPP

Elouisa Crichton, Dentons

Emily Darlow, Freshfields Bruckhaus Deringer LLP

Andrew Dixon, Freeths LLP

Rosemary Djalo, Handelsbanken

Caitlin Farrar, Farrer & Co LLP

Roschella Griffith, Central England Law Centre

David Hopper, Lewis Silkin (Secretary)

Rebecca Hughes, Birketts LLP

Spencer Keen, Old Square Chambers

Ed Kemp, Littleton Chambers

Jennifer McGrandle, Dechert LLP (Chair)

Suzanne McKie QC, Farore Law

Polly Rodway, BDBF LLP

Victoria Speed, Trust for London

Kate Sutherland, Harper McLeod LLP

Katie Wood, Maternity Action (Co-ordinator, Mumsnet/Maternity Action clinics)

### ELIPS co-ordinators:

Julian Allsop, Guildhall Chambers (ELIPS Bristol)

Grahame Anderson, Littleton Chambers (ELIPS Newcastle)

Elizabeth Hodgetts, St Philips Chambers (ELIPS Midlands West)

Sarah Keogh, Old Square Chambers (ELIPS London Central)

Caroline Loving, Clyde & Co LLP (ELIPS Manchester)

Daniela Mahapatra, Deputy Director of Legal & Risk Services, NHS Wales Shared Services Partnership (ELIPS Cardiff)

Naomi Owen, No 5 Barristers Chambers (ELIPS Midlands West)

Marie Walsh, Consilia Legal (ELIPS Leeds)



## Pro Bono Committee Report *cont.*

One of our principal objectives was to continue to develop the online Employment Tribunal Litigants In Person Support Scheme (ELIPS) and to consider what format it should take in a world of hybrid working and hearings. We also wanted to grow the pro bono committee and following a call for new volunteers, received a large number of applications. The new committee represents a wide range of roles within our profession.

### ELIPS

Online ELIPS continues to operate very successfully, offering up to 18 clinic sessions with three lawyer volunteers, once a fortnight across seven Tribunals: London Central, Cardiff, Bristol, Midlands West, Leeds, Newcastle and Manchester. We have over 50 of ELA's members on our volunteering database and have offered over 200 appointments to litigants in person (LIPs) during the last year. Since ELIPS went online, we have offered over 450 appointments to LIPs.

The flexibility of being able to access the clinic online suits LIPs who no longer have to spend a day queuing at the Tribunal in the hope of seeing one of our volunteers. It also suits the volunteers, who find it easier to fit a virtual half or full day's clinic session into a busy diary. We continue to receive very positive feedback from all participants (*see further below*).

Our law student volunteers play a valuable role in the clinics. Each lawyer volunteer has a student accompanying the clinic sessions to take a note of the advice and to assist with research. The feedback suggests that as well as being useful for the volunteers, it provides useful experience to the students. We are very grateful to the University of Hertfordshire, the University of Manchester, the University of Newcastle, the University of Law, the University of South Wales, BPP (Leeds, Birmingham & Bristol) and FRU for continuing to provide student volunteers.

We are currently working on setting up a pilot scheme at one of the tribunals to offer advocacy at Preliminary Hearings for Case Management by CVP and anticipate that this will appeal to those volunteers who want some experience of advocacy and also to LIPs who find these hearings daunting and confusing. We also want to work more closely with FRU and Advocate to ensure a great take-up of the cases that are referred by ELIPS volunteers to those organisations for advocacy support.

### Mumsnet clinics

The quarterly Mumsnet clinics are now into their fifth year with four clinics held over the last year. Clinics are co-ordinated by Mumsnet and Maternity Action with a panel of over 30 volunteers. Requests for advice are posted onto the Mumsnet forum and the legal advice provided is available to all. If ELA members would like more information on how to get involved, please email [christinew@elaweb.org.uk](mailto:christinew@elaweb.org.uk)

## Pro Bono Committee Report *cont.*

In 2021/2022 free legal advice was provided to 49 pregnant women and new parents facing a range of problems including pregnancy and maternity discrimination at work, refusal of flexible work on return from maternity leave and loss of pay and other benefits during maternity or parental leave. The majority of those asking for advice were on a low income.

Everyone who received legal advice via the clinics was given an opportunity to provide feedback, which has been very positive.

### **Pro Bono Week**

For Pro Bono Week last November we held a panel discussion on virtual volunteering, and we were very grateful to our special guest, Regional Employment Judge Wade. Our other panel members were: Joe Nicholls (Stephens Scown), one of our most loyal ELIPS volunteers; Oliver Far and Charlotte Godwin two of our ELIPS student volunteers from the University of Hertfordshire; Chloe Leyland (Horsfield Menzies) another of our ELIPS volunteers; Marish Walsh (Consilia Legal), the ELIPS Co-ordinator for Leeds Tribunal, and Elouisa Crichton (Dentons), a long-serving Mumsnet clinic volunteer and recent addition to our pro bono committee.

We have been delighted to have been invited to join the regional round table discussions organised by the Pro Bono Week Committee (chaired by Toby Brown of 3 – 4 South Square).

At the heart of Online ELIPS is Christine Wheeler, our Pro Bono Administrator. There is a huge amount of work that takes place behind the scenes to set up all the clinics and Christine's commitment, enthusiasm and organisational skills have ensured that they operate smoothly. The ELIPS Co-ordinators (listed above) also all play a valuable role in the operation of Online ELIPS.

In addition we would like to thank ELA's Management Committee for its continued support of Online ELIPS and in particular ELA's General Counsel, Fraser Younson who helped us register ELIPS (Employment Tribunal Litigants in Person Support Scheme) as a trademark. We are now working on developing a logo.

We would also like to thank the judiciary for their ongoing support of ELIPS and, in particular, the President of Employment Tribunals (England and Wales), Judge Barry Clarke. Thanks are also due to the outgoing President of Employment Tribunals (Scotland), Shona Simon, for her support in our attempt to expand ELIPS to Glasgow Tribunal which has so far been unsuccessful despite the efforts of Kate Sutherland (Harper McLeod LLP).

## Pro Bono Committee Report *cont.*

Finally we would like to thank all the ELA members who have volunteered for one of our pro bono initiatives. Without you we would not be able to offer these invaluable services.

Below is a selection of the feedback that we have received:

*[The volunteer] was so helpful and gave me hope that I could go into my case management hearing prepared.*

*[The volunteer] was very patient, kind, and actively listened to me. As someone suffering from stress and anxiety, she helped me feel calm and relaxed throughout our conversation. I have dyslexia and [the Student volunteer] took all the notes for me. I really needed help and a little assurance and [the volunteer] delivered. Professional and very pleasant.*

*As I said when we met, I can't thank you enough and your advice has been unbelievably helpful to me.*

*I am grateful for your help... This is a great service and worthwhile for non legal people like myself.*

### Student Volunteers

*I found the student volunteer so helpful when it came to writing the [attendance] notes. The occasions where I have had students joining has made the process much easier to advise after the clinic. The student was [...] from [BPP] Birmingham, who was extremely helpful! Last time (Oct 2021), [the student] from [the University of] South Wales was equally helpful.*

*Overall it was great and I really enjoyed volunteering.*

*Today has been great, I have thoroughly enjoyed it. It has been great to get insight into real world legal issues and Employment law in practice works as well as how Employment law can really affect one's life.*

*(posted on LinkedIn) Thank you to the ELA for having me be part of the ELIPS scheme yesterday. Taking part in the client interviews was a valuable experience which definitely strengthened my interview note taking and organisational skills and I enjoyed learning more about the field of employment law.*

## Pro Bono Committee Report *cont.*

### Mumsnet clinic users

*I felt much more confident in my decision making and was able to challenge my new line manager when I was given incorrect information.*

We would like to spread awareness of the new pro bono costs orders available in the Employment Tribunal for free of charge legal representation. These are payable to the Access to Justice Foundation, which distributes the money to agencies and projects that give free legal help to those in need.

Anyone interested in volunteering for ELIPS should contact Christine Wheeler at [elips@elaweb.org.uk](mailto:elips@elaweb.org.uk). You do not have to live and work in the regions in which we operate – the great advantage of Online ELIPS is that our volunteers can be based anywhere.

We wish every success to the new Chair of the Pro Bono Committee, Eliza Nash (Osborne Wise), a dedicated ELIPS volunteer, and the other new committee members and hope that they can expand the volunteering opportunities for our members so that we can continue to provide valuable assistance to those who cannot afford legal representation.



Jennifer McGrandle  
Chair Pro Bono Committee

**Chair, Editorial Committee**  
Marc Jones, Marjon Law



## Editorial Committee Report

The Editorial Committee meets to ensure that for 10 months of the year ELA Briefing is published and sent to ELA members. This is sent to members either electronically by email or as a hard copy to their preferred address.

ELA Briefing is also published on the ELA website, where all previous editions can be found.

The Editorial Committee members are:

Kathleen Bada, Herbert Smith Freehills LLP  
Jo-Anne Graham / Nicola Taylor, Government Legal Department  
Clare Fletcher, Slaughter & May  
Clive Howard, Keystone Law  
Douglas Leach, Guildhall Chambers  
Craig Ludlow, 3PB  
Ann Leigh-Pollitt, Micro Focus International  
Richard Linskill, Gunnercooke LLP  
Louise Mason, Linklaters LLP  
Sara Meyer, MAKE UK  
Roseanne Russell, University of Bristol

The aim of ELA Briefing is to provide informative and incisive articles on employment law and related topics to a diverse membership. Members ideally want articles that not only reflect the latest decisions, but also want articles that are practical, wider-ranging and thought-provoking.

To achieve our aim, we rely on employment lawyers, practitioners, the judiciary, professional bodies and government agencies to give up their time to write articles. ELA Briefing would not exist without their valuable contributions.

During the last 12 months, we have made some changes to ensure that there is greater awareness of the work that has been done by the ELA committees and the events and offerings for members and we have done this via the Chair's column for ELA Briefing. The committee has also seen two changes. We lost Sarah Fraser Butler and Charles Wyn-Evans but gained Clare Fletcher and Craig Ludlow..

## Editorial Committee Report

Our thanks go principally to the authors of articles provided for inclusion in ELA Briefing, and irrespective of whether they are published or not, the Editorial Committee is extremely grateful for all articles received.

Thanks also go to the Editorial Committee itself who meet virtually, read, scrutinise and argue (!) about what articles should be included in ELA Briefing, always striving to include high-quality articles in each edition.

Lastly, thanks to the team at Thomson Reuters for producing ELA Briefing, and in particular, Matthew Bell who edits and formats each edition and Anisha Radia, who manages the production process.

It is a collective effort by those named above, that has ensured that ELA Briefing is still one of the best employment law journals over the past 12 months – and long may this continue to be the case!



Marc Jones  
**Chair Editorial Committee**

## Chair, Training Committee

David Regan, Squire Patton Boggs (UK) LLP



## Training Committee Report

After another challenging year, we have managed some real wins which have helped to maintain the quality and consistency of our training output and added to the programme to move forward as we emerged from yet more lockdown issues.

Although my role as Chair is quite demanding, it is also very rewarding and I couldn't do it without the help of every member of the Training Committee (and the operations team!), who give up a huge amount of time pro bono to organise and run all ELA's Training programme.

### The other members of the Training Committee are:

Shirley Blair, A&L Goodbody - Northern Ireland Rep

Harriet Bowtell, Jones Chase

Jo Broadbent, Hogan Lovells International LLP

Patrick Brodie, RPC LLP

Emma Carter, Dentons UK and Middle East LLP

Paula Chan, BDBF LLP

Emma Clark, Keystone Law

Connie Cliff, Gowling WLG (UK) LLP

Emilie Cole, Cole Khan Solicitors LLP

Kim Crangle, Payne Hicks Beach

Niran de Silva QC, Littleton Chambers

Julie Duane, St Philips Chambers - Midlands Rep

Michael Duggan QC, Barrister - Upper South East Rep

Sheila Fahy, Allen & Overy LLP

Ceri Fuller, DAC Beachcroft LLP

Debbie Grennan, Guildhall Chambers - South West Rep

Rachel Hearn, Charles Russell Speechlys LLP

Fiona Herrell, Brodies - Scotland Rep

Sarah Hayes, Paris Smith LLP - Lower South East Rep

Katya Hosking, Devereux Chambers

Siobhan Howard-Palmer, Brabners LLP

Penny Hunt, Bird & Bird LLP

Lindsey Knowles, Brabners - North West Rep

Peter Linstead, Outer Temple Chambers

Tracy Luke, Eversheds Sutherland LLP

Annabel Mackay, Baker McKenzie LLP

Nigel Mackay, Leigh Day

Hannah Mahon, GQ Littler

Alexandra Mizzi, Howard Kennedy LLP

Leonora Morgan, DAC Beachcroft LLP - North East Rep

Catherine Richmond, Worden Richmond

Rose Smith, Doyle Clayton

Nikita Sonecha, Browne Jacobson LLP

Marie Walsh, Consilia Legal LLP - Yorkshire &

Humberstone Rep

Jonathan Walters, Civitas Law - Wales Rep

Anna West, Travers Smith LLP

Katie Woller, Burges Salmon

Alice Yandle, Farrer & Co LLP

## Training Committee Report *cont.*

The Committee's aims for the last two years were to ensure that ELA members' training needs across all levels and sectors continued to be met, through providing:

- COVID-related content to help members get to grips with the often sudden changes in the law;
- A re-launch of the in person annual conference;
- Our existing training programme so far as possible, even where this meant changing the format and delivery of sessions;
- Training sessions on topics of interest and changes in the law

We also strived to engage with members on the future provision of training, given the changes to the way we are all likely to work, moving forward.

Thankfully, we have achieved most of our objectives, which we're really proud of as a Training Committee.

Our greatest moment in the year saw the return of our in-person Annual Conference, in May in a new venue in central London. The event attracted over 550 attendees and delivered a high quality programme with a plenary session complemented by excellent and wide ranging break out sessions.

Moving forward we need to continue to look at how we can best deliver our training – offering our training online has entirely democratised both access to and the provision of training, meaning that our regional members can both attend every session but also can present throughout the UK, not just locally. We consider it is really important not to lose sight of this and intend to continue to offer virtual training moving forward. That being said, there are some events such as Annual Conference and Bootcamp where the opportunity to meet and network with peers is recognised as being a key part of the attraction of the event, so we plan to continue to hold these types of events 'in-person'.

I for one thought the Annual Conference was such a superb event that I am genuinely looking forward to the next one in May 2023. Organising it was a real team effort, with virtually every member of the Training Committee either organising or chairing an event. There was also, as ever, a real willingness from members to open their contacts book to ensure that we got the best possible speakers, for which we're eternally grateful.



## Training Committee Report *cont.*

A few thank yous:

To Charley, Nick, Cynthia, Angela, James and everyone else in the operations team, without whom we really could not operate; and finally to the members of the Training Committee, who make my life so much easier by coming up with all the great ideas for our sessions.

We really value members' feedback especially as it has been so helpful in relation to what we're doing well, and what we're not doing so well, but we always need more! Please also continue to send in your thoughts and ideas for potential sessions.

It has been a real privilege to have continued in my role as Chair of the Training Committee throughout the last year – whilst it's been challenging at times it's also been a great deal of fun. As we are now through most the challenges and people are beginning to feel confident about returning to some in-person meetings, I can't wait to meet more of the membership and hear from you first hand.



David Regan  
Chair, Training Committee

## Chair, International Committee

Kathleen Healy, Freshfields Bruckhaus Deringer LLP



## International Committee Report

I am delighted to be able to report to you on the activities of the International Committee during the past 12 months. I have agreed to continue as Chair for a further term and I am very much looking forward to working with ELA's new Manco.

The nature of the employment practice of each of the members of the International Committee is international – the committee members rarely have a day where they don't interact with clients and colleagues in other jurisdictions around the world. As a Committee we see the importance of understanding wider global employment law trends and developments and the value that it can bring to our work. The last few years have shown us – if we needed reminding - the value of connecting with employment lawyers around the world to compare notes, discuss trends and crystal ball gaze.

### Back in early 2020...

In early 2020 the Committee refreshed its objectives. At that time we had firmly in mind that with the decision of the UK to leave the EU, our role was likely to change. In particular we wanted to think creatively about ways in which we could maintain and develop our professional relationships and connections with our colleagues in Europe. With the arrival of the pandemic, that job curiously became easier. As I said in my last report, the virtual world of webinars and meetings has allowed the International Committee to reach right around the world and to bring speakers together to discuss and debate trends in a format that, prior to the pandemic, was not one with which we were terribly familiar.

Time zone scheduling challenges aside, the Committee firmly believes that webinars are here to stay and will remain a key offering of the Committee because it allows us to maximise our reach and to bring as much international input as we can to ELA Members.

### The Committee's Composition

The current members of the Committee are as follows:

Kathleen Healy (chair)

Henry Clinton-Davis

Claire Darwin

Emily Chalkley

Frank Morton

Ingrid Nixon

Judith Harris

Nicola Whitely

Paul Goulding QC

Paul Thompson

Qian Mou (currently on maternity leave)

Rebecca Emmett

Toni Lorenzo

Anna Birtwistle

## International Committee Report *cont.*

During the course of this year Amy Rogers decided to step down from the International Committee. We have been incredibly grateful to Amy for her dedication to the Committee and her efforts over the years.

### Our aims and objectives

Our objectives at the start of the year were to:

- continue to connect with ELA members and bring them training sessions and opportunities for discussion with employment lawyers around the world;
- further develop our relationships with employment lawyer associations around the world, in particular with the Labor & Employment Section of the ABA and with EELA; and
- monitor key employment law developments and workforce trends as the world emerged from the pandemic.

When I wrote this report a year ago, the UK was starting to emerge from months of lockdown, restrictions and general pandemic-related uncertainty. At that point we were not sure quite how quickly we might move back to some sense of normality and we were hotly debating what the 'new normal' might look like. Around the world employment lawyers were moving slowly away from advising clients on agile working, furlough measures or equivalent etc and instead were advising on the return to work, the 'no job no job debate' and trying to anticipate what the working world would look like post-pandemic.

At the start of the pandemic it was our Asian colleagues who led the way in the advice on how to manage remote workforces and the challenges employers faced. Scroll forward 24 months and the picture is different, with many Western geographies having eliminated the last of the Covid restrictions, whilst various countries in Asia are still pursuing 'no-Covid strategies and maintaining quarantine rules. As a Committee we have worked hard to stay on top of these key trends around the world.

### Our achievements

In the past 12 months we have brought ELA Members a wide variety of international training topics and discussion sessions. We have run bespoke country focussed sessions, including a session on Covid-19 developments affecting employers in Hong Kong and one on the anticipated changes to employment laws in Australia following the election of their Labour Government in May. We have also run practical training sessions, most recently looking at works councils.

## International Committee Report *cont.*

This year we have also sought to vary the format of our sessions. In March of this year we brought together Lord Justice Underhill, The Hon. Mr. Justice Gerard Hogan and The Right Honourable Lord Justice McCloskey - three of the most senior and highly respected judges in England & Wales, Ireland and Northern Ireland respectively to provide members with their thoughts on the relationship between the UK, Ireland and Northern Ireland in a post-Brexit, post-pandemic world. It was one of the highlights of our year. A huge thank you to our friends in the Employment Law Association of Ireland and Northern Irish Employment Lawyers' Group Committees for their invaluable help in bringing the session together.

We have also helped organise a number of sessions with the Labor and Employment Section of the ABA. Working with the outgoing Chair, Kelly Dermody, we have worked together on a number of sessions. This included in particular the 7th ABA/ELA Transatlantic Conference, which took place in September 2021.

It was the first time that the Transatlantic Conference had been held virtually. Whilst we had a great line-up of speakers and topics, we did not have the attendance we had hoped. Discussing the event afterwards, we wondered whether virtual conference/training 'fatigue' had set in, combined with the scheduling challenges that inevitably arise when your audience is joining a single conference but with an 8-hour time difference.

Assuming we stick to the format, then the next Transatlantic Conference will take place in 2023 and we will want to be back with a bang!

Highlights? Well alongside the training highlights above, it has to be the opportunities we have had in recent months to reconnect in person with friends and colleagues in our national and global employment lawyer community. In the last few months members of the Committee emerged, butterfly-like, from behind their screens and attended a number of employment lawyer conferences in person. As well as the fantastic ELA Annual Conference, a number of us went to Berlin to join our ABA colleagues at their mid-year conference. That conference was the first 'in person' conference many of us had attended in over two years. We had to relearn our networking skills as well as other skills, including bike-riding skills. Participating in the ABA's Berlin bike tour was both exhilarating and terrifying at the same time (picture a bunch of employment lawyers trying to navigate Berlin rush hour on a pedal bike after nearly 2 years of inactivity!) A number of committee members also attended the EELA conference in Athens in June, which again was a welcome blast of both sunshine and in-person connectivity.

As I look ahead to the coming year, we want to add a couple of new members to the Committee and will be going out to ELA members in September to ask for volunteers. We also want to hear more from ELA members. How can the Committee add value to you? What would you like to see more of? Or less of? Please do contact me or any of the other Committee members to give us your views.

## International Committee Report *cont.*

In particular we want to build on the work that our colleagues on the In-House Committee did in the summer, running a conference specifically for in-house employment lawyers. How can we better reach the in-house employment law community? And is there more we could be doing to reach across all the regions? We have already asked for feedback from regional members, and we await responses with bated breath.

I couldn't finish my report without a huge thank you to Charley, James, Angela, Cynthia and the rest of the team for all the work they do to support our Committee. And a thank you to my fellow Committee members for your endless enthusiasm and participation.

And finally, a big thank you to the outgoing ELA Chair Marian, who has been unfailingly supportive of all of the Committee's endeavours during her term.



Kathleen Healy  
**Chair, International Committee**

## Chair, In-House Committee

Ken Morrison, St. George's University of London



## In-house Committee Report

### The Inhouse Committee includes:

Michael Whitbread, JTC

Lorrelee Traynor, NHS Wales Shared Services Partnership

Zoe Dudgeon, Deutsche Bank

Anne MacFarlane, Glasgow City Council

Ajay Khandhar, Canva

Shona Logie, Cognizant

Debbie Nathan, University of the Arts London

Elaina Moss, Royal Holloway, University of London

James Noble, Genius Sport

Grazia Pac, Bank of England

The highlight of the year was the virtual in-house conference organised over three lunchtime webinars in mid-June, to which most of the in-house committee contributed either by arranging speakers or chairing meetings or assisting those chairing with questions and interactions with the audience of in-house members. At last count the three sessions had been viewed more than 500 times. We also arranged an event for those contemplating a career in-house.

The feedback responses from these events were very encouraging. There is clearly an appetite for events with broad appeal, for example "What does HR want from Legal", and for more specific content such as the treatment of equality across several jurisdictions. A clear and useful take-away from our session on presenting better online is to look at the camera not the screen when talking to others via Teams/Zoom etc., which is a far harder discipline than it might at first seem.

The in-house committee is constituted to serve the needs of those working in-house. We would certainly benefit from more input on what members would like us to deliver during 2022-2024.

I will be looking for members to volunteer onto the committee and to be available to work with us on projects. We aim to work on establishing a more structured way of approaching membership with opportunities to be involved, and this will be our first order of business following the summer break.

## In-house Committee Report *cont.*

The in-house committee is refreshing its membership and the way it interacts with those ELA members who are employed in-house. We have a core of enthusiastic and thoughtful people at the heart of the committee who will work hard to build on our successes this past year. We look forward to welcoming our fellow in-house ELA members to more planned events this coming year.



Ken Morrison  
Chair, In-House Committee

## ELA Junior Lawyer Representative

Sophie Lockwood, Charles Russell Speechlys LLP



## Report from ELA Junior Lawyer Representative

The Junior Committee meets regularly to discuss the needs of ELA's junior members (less than 5 years PQE), as well as organising training, social events and exploring pro-bono opportunities. We are keen to ensure that we take in regular feedback from junior members across the country and different branches of the profession. The diverse background and experience of the Committee members helps to ensure that ELA is meeting the needs of its junior members.

### The Junior Committee comprises:

Sophie Lockwood (Charles Russell Speechlys LLP)	Roisin Kavanagh (Loch Associates Group)
Kafeel Azher (Addleshaw Goddard LLP)	Hannah Lynn (Brahams Dutt Badrick French LLP)
Damian Babic (Skadden Arps Slate Meagher & Flom (UK) LLP)	David Lyons (Lewis Silkin)
Richard Beschizza (Rradar Limited)	Cerys Mather (DAC Beachcroft LLP)
Donall Breen (GQ Littler)	Francis Mortin (St Philips Chambers)
Diarra Brown (Pinsent Masons LLP)	Theo Nicou (Brahams Dutt Badrick French LLP)
Georgina Churchhouse (12 Kings Bench Walk)	Marguerite Perin (Miller Rosenfalck LLP)
Henry Cross (Stephens Scown)	Sophie Rothwell (CM Murray LLP)
Jessica-Alice Curtis (Baker & McKenzie)	Elizabeth Sangobiyi (Freshfields Bruckhaus Deringer LLP)
Charlotte Fisher (NBC Universal)	Alice Scott (Pump Court Chambers)
Ellen Goodland (Burgess Salmon)	Sacha Sokhi (Irwin Mitchell LLP)
Katrina Hennessy (Eversheds Sutherland)	Ellis Jessica Walby (Harrison Clark Rickerbys Limited)
Imogen Jain (Fox Williams LLP)	Amelia Wheatstone (Avon & Somerset Constabulary)

My aim has always been to build on the excellent work that had already been done to ensure greater engagement from junior members and deliver training that assists junior members' professional development.

The Committee has been proactive in organising more remote speed mentoring events, enabling the popular initiative to continue online which is the most inclusive format. The purpose of speed mentoring events is to provide both mentees and mentors with an opportunity to meet, and expand their network, in a relaxed environment with a view to developing contacts, support amongst peers and ongoing mentoring opportunities.

The remote events that the Committee has held this term have received a positive reception from the membership, and whilst the Committee hopes to return to holding in-person events soon, we recognise that there are benefits associated with remote events, including greater inclusivity and accessibility.



## Report from ELA Junior Lawyer Representative *cont.*

I would like to thank the operations team for their support and wisdom. Last but certainly not least, I would like to thank the members of the ELA Junior Committee for their contribution during what has been another challenging year for everyone.

We welcome ideas and input from ELA's junior members on future initiatives, and should any junior members wish to get involved in the work of ELA, the Committee, and/or assist with organising/chairing any junior events, they should not hesitate to get in touch.



Sophie Lockwood  
Charles Russell Speechlys LLP

## Report from Regional Representatives

### Lower South East

It is fantastic that over the course of the last 12 months, in person ELA events have been able to take place again. I was delighted to recently organise the Solent Employment Law Conference which took place on 10 June 2022 at the Harbour Hotel, Southampton. The conference was attended by approximately 50 ELA members in the region and included training sessions on whistleblowing, equal pay and hybrid working issues. Regional Employment Judge Pirani spoke about preparing and presenting employment tribunal cases which was extremely informative. The event provided an opportunity for networking over lunch, which was great to see.

In November 2021, I organised a regional drinks social for local ELA members to catch up in person following the pandemic and I plan to organise another regional social event in the autumn.

The last 12 months have shown that online training continues to play a valuable role in supporting members within the region. As part of my broader role on the ELA training committee, I chaired a webinar with the Equality and Human Rights Commission in March 2022 which was freely available to all ELA members. I also chaired the question and answer session as part of the ELA discrimination course in December 2021 and was involved in planning the ELA Annual Conference which took place in London in May 2022.

Looking forward, I will continue to support the ELA training committee with the annual programme of content. I will be planning the Solent Conference for 2023 and would welcome any suggestions for speakers/topics that members would like to see.

I am grateful for any feedback, comments or suggestions from ELA members in the region. Do please get in contact if you have any ideas and I would be very happy to discuss.



Sarah Hayes  
Lower South East Regional Representative

## Report from Regional Representatives

### Midlands

It has certainly been an unprecedented few years for events as a result of the COVID-19 pandemic, but I hope that our members have welcomed the initiatives and adaptations to how events and training have been delivered by the ELA in order to continue meeting the demands and needs of our members. In light of those challenges, it has been refreshing to see the way in which the ELA committee and members have responded to those changes and which have enabled us to deliver a more diverse and national programme to the regions.

As Midland Representative the objective behind those sessions is to give greater insight into the Employment Tribunal process, improve and harness skills and tips to improve an individual's practice, and to keep our Members abreast of relevant current affairs. A number of those programmes which have either been provided to date, or which are due to become available shortly, include, but are not limited to:

- Annual Conference: How to Make your Pleadings Concise, delivered by Regional Employment Judge Wade, Kiran Daurka, Lucy McLynn and Fiona Herrell;
- The Future of Industrial relations – to be conducted later this year;
- Top Tips on Effective CVP Advocacy; and
- Feedback on the user group meetings with the Midlands Employment Tribunal.

The region continually welcomes the feedback of its members and it is noteworthy that there has been an increasing demand for virtual or hybrid training sessions. In response to this feedback, we accommodated this request into the programme in order to meet those deliverables. Put simply, you said; we listened.

Members are continually encouraged to feedback on what events they would like to see more of and areas in which sessions/events can be improved. Equally, where members have found events to be beneficial, sharing this message on social media and other applicable forums would be welcomed.

I would also like to take this opportunity to thank Charley Masarati, her team, and James Jeynes for their unwavering support and invaluable assistance throughout the year in ensuring that the ELA goes from strength to strength.



Julie Duane  
Midlands Regional Representative

## Report from Regional Representatives

### Yorkshire & Humberside

I have now been in role for five years and my vision for the region was to increase cohesion, communications and availability of training and other benefits that would benefit the regional membership.

During the course of this year I have again been helped enormously by members in the region who have interacted with me mainly via email in such a positive way and the various committees, Manco, Byword and the regional ET and Judges. The collaboration has been fantastic despite challenging circumstances.

My goal this year was see ELIPS continue to grow in the region and I'm pleased to say this is flourishing.

The membership in my region has continued to be greatly supportive and I couldn't have done this without them. Their support is very much appreciated.

Much like last year I'd like more socials locally and would welcome hearing from members with ideas for any social events they have.

I'm hoping for some more face-to-face regional training events this year too and would welcome suggestions.



Marie Walsh  
Yorkshire & Humberside Regional Representative

## Report from Regional Representatives

### North West

Looking back over the last 12 months, the impact of COVID-19 continued to influence how the normal regional events could be offered. Regional members have however greatly benefited from the programme of excellent ELA sessions which have been available on demand and has proven so useful for members fitting them in around busy working lives and other commitments. I have enjoyed attending the ELA Training Committee meetings to help give support to the enormous effort the committee has made.

I was delighted to attend the ELA Annual Conference which took place in person on 12th May 2022 delivering not only first-rate speakers and sessions but provided a much-needed opportunity for members from all regions to get together. The buzz and atmosphere at the Conference was brilliant!

I am pleased to be continuing in the role and now have the real opportunity to increase cohesion within the region and bring members together in both social and training events. It is clear that online training does and will continue to have an ongoing valuable role in bringing such varied sessions to members in all regions. However, I am also very much looking forward to getting together with members in the region and would welcome any ideas, feedback and suggestions from local members of what they would like to see in the region in the coming year.



Lindsey Knowles  
Northwest Regional Representative

## Report from Regional Representatives

### Northern Ireland

I have had mixed (though largely very positive!) blessings as the ELA Northern Irish Representative over the course of the last two years. On the one hand being part of such a fantastic organisation and working with some of the very best employment lawyers in the UK has been hugely rewarding. On the other hand the timing of the pandemic meant less face to face interaction with the committees and only online events for our region. Hopefully that will all change for the incoming Representative, David Mitchell, and I wish him every success in the role!

The last 12 months has been a very interesting time for Northern Ireland in employment law terms. Legislation development remains pretty stagnant (though we are the only region to have implemented Domestic Abuse Safe Leave regulations – keep an eye out for the ELA article on this) following the collapse of the NI Assembly. Whilst all may be relatively quiet on the legislative front, all eyes are on the Supreme Court for the scheduled hearing of holiday pay case *Agnew –v- PSNI* and its enormous potential ramifications. Speaking of President Kelly... the Tribunals seem to be undertaking positive steps to try reduce the significant backlog of cases, although clearly this remains an uphill challenge.

The divergence between employment law in NI and GB continues to grow. We therefore arranged a webinar highlighting these differences earlier this year (special thanks to Rachel Best BL). This is a session that is always worth a refresh in the coming years to enable practitioners to stay abreast of the latest developments.

One of my key aims on appointment was to try to raise awareness of ELA within Northern Ireland. I feel that, whilst a work in progress, this has been somewhat achieved through webinars and relationship building with the long established indigenous ELG (Employment Lawyers Group). Hopefully with the return of in-person seminars the profile of ELA can continue to be raised to augment our membership in this region.

Special thanks to Charley Masarati and the team for all their unending support, ideas, wisdom and fun. I have particularly enjoyed being part of the team involved with the Rounded Employment Lawyer Series in arranging one-hour webinars, pitched at mid-level lawyers, introducing a range of specialist areas and red flags to be aware of. Finally if any members in Northern Ireland have ideas or suggestions for training topics or social events please do just get in touch with either David or me. It would be great to hear from you!



Shirley Blair  
Northern Ireland Regional Representative

**Head of Operations**  
James Jeynes, ELA



## Operations Report

Having completed a full year in the role of Head of Operations I now feel I have a greater understanding of how ELA functions in a 12 month period. Having said that, I joined ELA in the midst of the pandemic and we are still seeing the after affects of its impact on global working. We have had an excellent year of success and operational wins, including:

- The delivery of the ELA Annual Conference in a new venue three years after the last in-person version;
- We have continued to arrange, manage and deliver high quality training and events through our Zoom conference and webinar software;
- The redevelopment and redesign of the ELA website which included many improvements to ensure those visiting the website had a more valuable experience;
- We delivered two fantastic in-person drinks receptions at the Old Bank of England which saw close to 300 members meeting socially for the first time in almost two years

Once again, I must congratulate the ELA Operations team for maintaining such a comprehensive and valuable service throughout what was one of the most challenging periods of existence for ELA.

Our excellent team are:

- Angela Gordon, **Finance Officer**
- Cynthia Clark, **Website Manager**
- Christine Wheeler, **Pro Bono Administrator**

And from our hugely valued service providers, Byword Business Services Ltd, we are supported by:

- Charley Masarati
- Nick Walsh
- Penny Moorman

Without this team and it dedication to ELA, we would not be able to provide such high value services to members throughout each working week (and sometimes weekends!).

## Operations Report *cont.*

### Website Refresh

The ELA was last given a major overhaul in 2013 with some minor tweaks in 2017 so we knew that the underlying technology and the content management systems needed updating very soon. The project was managed by Cynthia Clerk and me, and was delivered using the expert services of Tellura Web Development and complemented by design work from Shooma. I was really pleased to hit the timescales on this high impact project; we promised to launch the new website by the ELA Annual Conference on 12 May 2022 and we finished a week in advance to allow some stress testing to take place before the big launch. If you have not looked around the new website, please do so at [www.elaweb.org.uk](http://www.elaweb.org.uk)

### Looking Ahead

I had hoped to meet many of you during 2022, and even though we had a very successful conference with close to 550 attendees, and the two social events, there are many of you who I have not had the pleasure of meeting. In 2022/2023 I hope to change that by joining in-person regional meetings and socials where I can talk to you about how we can improve the member experience.

I will be working with all the ELA Committees to refresh their membership, and also to create better links between ELA Operations and all of the fantastic work the committees do as volunteers. It is a long time since ELA undertook a planned membership drive or undertook a full membership survey. These are two areas where I would like to explore what might be possible during the period 2022-2024.

### Membership Reports

As at 2 January 2022, ELA had 6530 members, compared to 6,273 at the same point in 2021. The membership comprises:

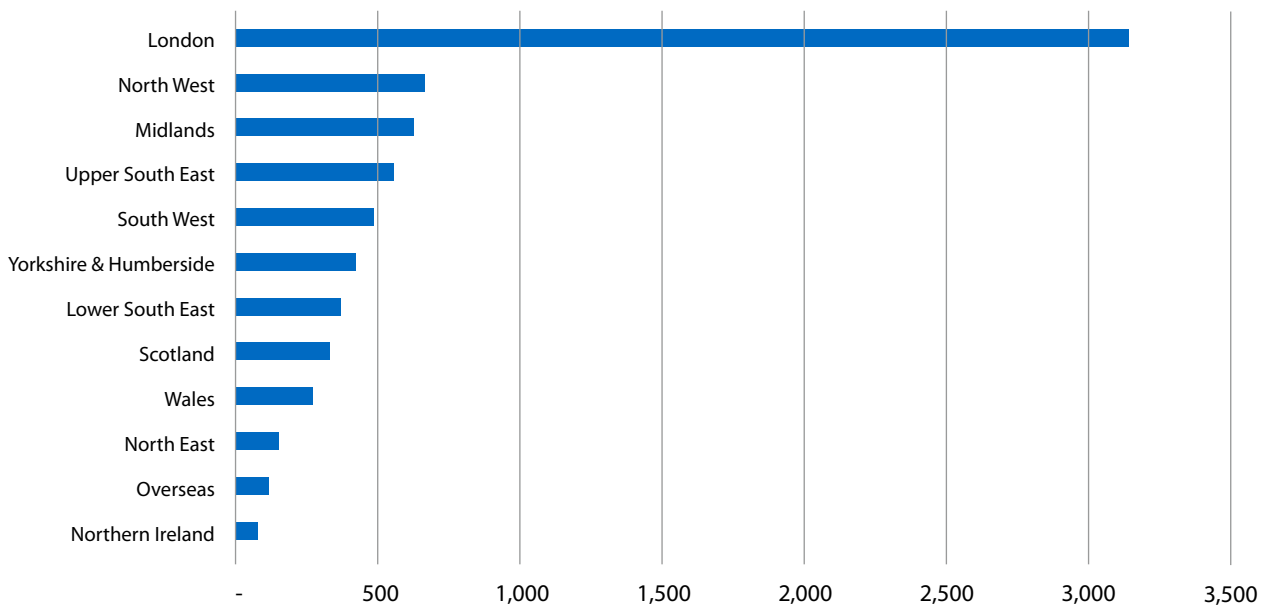
- 6034 Full Members, compared to 5775 in 2021
- 329 Associate members, (trainee, foreign, qualified lawyers engaged in researcher, members of the judiciary), compared to 379 in 2021
- 167 Correspondents, (voluntary sector organisation members with a material interest in employment law), compared to 119 in 2021



## Operations Report *cont.*

We have seen membership increase in 10 of our 12 ELA regions, with just under half of the membership being based in London.

### ELA Membership



James Jeynes FRSA  
Head of Operations



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