



Annual Report

2022 - 2023

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President
Employment Appeal Tribunal

Judge Susan Walker
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Employment Tribunals Scotland

Judge Barry Clarke
President
Employment Tribunals England & Wales

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David Regan

Chair, Legislative & Policy Committee
Catrina Smith

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Kathleen Healy

Chair, Pro Bono Committee
Eliza Nash

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Ken Morrison

Junior Lawyer Representative
Hannah Lynn

Chair, Pastoral Committee
Beth Hale

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North West – Lindsey Knowles
Northern Ireland – David Mitchell
Scotland – Fiona Herrell
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Bronwen Reid, BR Enterprises Ltd

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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 2022 to 2023

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Contents

page 1	Chair's Report	page 24	Training Committee Report
page 5	Deputy Chair's Report	page 26	International Committee Report
page 7	Treasurer's Report	page 29	In-House Representative Report
page 10	Secretary's Report	page 31	Junior Lawyer Report
page 12	Legislative & Policy Committee Report	page 34	Pastoral Care Committee Report
page 15	ELA Standing Committees & Consultation Submissions	page 37	Regional Representatives Reports
page 17	Pro Bono Committee Report	page 42	Operations Report
page 22	Editorial Committee Report		

Chair

Paul McFarlane, Capsticks LLP



Chair's Report

Welcome to this annual report which aims to give you a summary of the activities and initiatives ELA has been doing over the last year and a pointer to what are plans are going forward. I really hope this inspires you, if you have not already, to get involved.

Before doing so I would like to pay tribute to the work that my predecessor, Marian Bloodworth. During her tenure Marian, had to grapple with leading ELA through the unique challenges that COVID brought us, together with Brexit and an uncertain geo-political landscape both in the UK and abroad. Throughout Marian was strategic, very well organised, calm and ensured we all had a sense of fun and privilege about the work we do for ELA. Through Marian's leadership ELA has emerged a stronger and more resilient organisation ready to deal with the next challenge) put in front of it. A very tough act to follow then.

When I became chair, last September 2022, I set myself three objectives, namely: for ELA to cement its reputation for being the authoritative voice of voice of employment lawyers in the UK; to continue the work we started in improving racial diversity within the employment law community; and acknowledging that our roles, as employment lawyers can often be very stressful, and so ensuring that we continued to provide pastoral support to our members. Since last September I have added a further objective, namely: to take steps to ensure that ELA is engaging effectively with our members in the regions. So how are we doing?

Authoritative voice

As can be seen from the Chair of our Legislative & Policy Committee, Catrina Smith's report (see page 12), the last 9 months have been a very hectic, even by employment law standards. As well as responding to consultation papers and meeting government officials and senior members of the employment judiciary et al, the shadow of the Retained EU Law (Revocation and Reformation) Bill (REUL), has dominated a lot of work L&P has done over past 9 months. ELA has been at the forefront of the debate on the implications of this Bill for employment law, with quotes and articles from various members of L&P, featuring in national, legal and HR press. Shantha David (one of our L&P members) and I were also invited to speak about REUL to a delegation of peers in the House of Lords about REUL.

I am particularly grateful for all the hard work that our Deputy Chair, Caspar Glyn KC, has done to support me so far during my tenure as Chair, in particular, the engagement he has had with government officials and senior members of the judiciary to ensure that ELA voice remains influential.

Representatives of L&P have also been invited to select committees to comment on employment law issues, for example, Jennifer Sole, gave evidence to BEIS Select Committee looking at Post-Pandemic Economic Growth UK Labour Markets. Jennifer's evidence was quoted extensively in the Select Committee's report.

Chair's Report *cont.*

ELA voice has also been sought on the international stage with representatives (Kathleen Healy, our International Committee Chair; Claire Darwin KC; myself and others) being invited to speak at events held by European Employment Lawyers Association and the ABA Labor Law Division.

Note: if you have not already those of you with an international practice should to register to attend our joint ELA/ABA Transatlantic Conference that is being held in London this September. As ever, there will be some great sessions on topical and global issues with some fantastic speakers. Look on our website for more details.

Improving racial diversity within the employment law community

As you will see in the L&P report our Race and Equality Committee ('REC') members have contributed to a number of L&P consultation responses. This has helped to ensure that the interests of all members of our community are taken into account in employment law reform. I am also pleased that we are piloting a reciprocal mentoring programme where junior members of the REC are mentoring a number of members of the Management Committee, so they gain an insight into what the experiences of Black and Asian employment lawyers are. At the end of this pilot we will seek feedback from the participants and consider whether to roll out such a scheme more widely across the membership.

I would like to thank REC Committee, particularly its new co-chairs: Rebecca Hayes, Melvyna Mumnie and Tanushree Sehmbi for all the work and energy they have put into continuing the work of REC founders and helping ELA to better engage with our Black, Asian and other ethnic minority members.

Going forward I am also considering what work we can do to improve the lot of Black and Asian barristers in the employment law community including carrying an equitable briefing survey of members as it relates to race (similar to the gender equitable briefing survey we conducted in 2019/2020).

Pastoral care

I am pleased to see the work of the Pastoral Care Committee has gone from strength to strength under the stewardship of Beth Hale, the committee's Chair. As you will see from Beth's report, her committee has run a number of online sessions covering a wide range of issues including on resilience under pressure, rebalancing work and life.

At the end of February I attended one of in-person coffee mornings that were held at locations across the country in at the end of February. It was great to be able to meet members face to face and discuss with them some of the challenges they face as practitioners and here what ELA can do to help.

Chair's Report *cont.*

With all the challenges we face in our professional and personal lives it is so important that we all look after our well-being. I would like to thank the Pastoral Committee for all the work they have done so far. I know they have lots more initiatives in pipeline for the coming year, so watch this space.

Regional engagement

I'm really pleased to see that year on year our overall membership continues to rise - at the end of 2022 it was 6662, up from 5862 at the end of 2018. However, I am aware that there has been a perception that ELA is a 'London-centric' organisation. Whilst I don't believe this to be the case, I want to ensure that we do all we can to engage with our membership to better understand your needs and requirements.

Accordingly, after discussions with the regional representatives during February and March we conducted survey of members in the regions to get a better understanding of what services you are using, how useful those services were and what we could do gain more engagement. Overall some of the key findings to come out of the survey were that: 86% of members who responded attended online training events; 88% had read ELA Briefing; 90% said they found the services offered by ELA to be useful; and 72% said they would attend local ELA social events. However, 42% of those who responded to the survey said they found the location of events prevented them from attending with 40% saying that time prevented them from attending.

Each regional representative has been provided with the results of the survey relevant to their region and will use them to inform how they better engage with members. However, I hope you can already see from the various events etc. being held across the regions this year that there is a genuine commitment from ELA to ensure we provide services to that our regional members can access and benefit from.

How can you get involved?

As you read through this report you will see that as well as the committees I have referred to above, there are so many other ways in which you can participate in the work that ELA does e.g. Pro- Bono (where this year we have expanded our Employment Tribunal Litigant in Person Scheme ('ELIPS') to cover the ET in Manchester, in addition to the ETs at London Central, Bristol, Cardiff, Midlands West and Leeds. If this is something you are interested in getting involved in please speak to our Pro-Bono committee chair, Eliza Nash.

If you are an In-House employment lawyer, we have refreshed the In- House committee which is chaired by Ken Morrison. In March they held their first in- person conference for three years, focussing on matters specifically relevant to In-House employment lawyers (which I was a former life!!). I had a pleasure of speaking at that conference and meeting many of our In-House colleagues. Please contact Ken if you have suggestions etc. on how we can better engage with you.

Chair's Report *cont.*

As ever, our Editorial Committee, chaired by Marc Jones, is always on the lookout for articles on recent cases, legislation or employment policy developments to go into ELA Briefing.

Finally, I must mention our Training Committee, which is chaired David Regan, who are responsible for putting on all the excellent training sessions that have been delivered either on-line or in person. If there is a topic/issue that you consider ELA ought to be providing training to our members on, please reach out to David.

Thank yous

As you can see there is an awful going on at ELA. None of this would happen without the excellent operations team we have who are led by James Jeynes, our Head of Operations. James is supported by his team (Angie Gordon, Cynthia Clerk and Christine Wheeler), along with our colleagues from Byword (Charley Maserati, Nick Walsh, and Penny Moorman) and Labyrinth, our technology support. I would also like to thank all of the members of the Management Committee for the time, effort and energy they put into undertaking work that benefits you, our members.

Finally, it would be remiss of me if I did not say a few words about Fraser Younson who is stepping down as our General Counsel. For those of you don't know, Fraser is one of the founders of ELA (back in 1992) – what a great idea that was. He will not recall this but I first met Fraser back in 2007 as he was a member of an ELA working party responding to consultation paper. Fraser, David Widdowson, the late Stephen Levinson et al on that working party were all were so warm and welcomed my thoughts and observations. Given that Fraser was a lot more senior than me and a 'big name' in the employment law world this made me feel that ELA was an organisation where I could make a valuable contribution. First impressions count and the impression Fraser left me was a very positive one which has stayed with me. On behalf of ELA members past and present, we would all like to thank you for all the time, effort and devotion you have put into making the ELA the organisation it is today.

I very much hope I am following in his footsteps in terms of encouraging you all, particularly the next generation of employment lawyers, to get involved with the fantastic work that ELA does.



Paul McFarlane
Chair

Deputy Chair's Report

The Deputy Bit

It has been huge fun and hard work under the charismatic and inspiring leadership of Paul McFarlane this year. Paul has bound ManCo together by his empathy, humour and his interest in each of us. On the occasional absences of Paul on holiday I have reviewed reports by the hard working Legislative and Policy Committee before they have been finalised.

The Annual Lecture

I was pleased, due to Paul's absence to be able to introduce the ELA Annual Lecture. This had been put together by the hard work of David Regan, Jo Broadbent, Patrick Brodie, Rachel Hearn, Katya Hosking, Niran de Silva KC and Rose Smith. We are still working back to more in-person events and due to the hard work of James and our team and your engagement we had hundreds of employment lawyers listed to a discussion about AI that opened our eyes to the issues in the future. Dee Masters gave a masterclass on the intersection of employment law and AI, whilst Schona Jolly KC kept the discussion and debate moving.

The Research Project

I continued with my responsibility in moving forwards the Research project working together with our Chair, Michael Reed, Shantha David, Robert Davies, Richard Fox, Jennifer Sole, Catrina Smith and Ben Jones that ELA is considering. This is a piece of work that was started under the last ManCo in looking at commissioning a some research into better ways in which to solve employment disputes including an examination of the Tribunals and as to any ways to make employment disputes reach just conclusions proportionately, fairly and timeously.

The Retained EU Law Bill

The first part of that work was commissioned from Professor Catherine Barnard (Cambridge Chair of European and Employment Law) and Sarah Fraser Butlin (Affiliated Lecturer University of Cambridge) in a review of Canadian, British, French and Australian dispute resolution. That informed our further work on refining the research question on which we consulted with all the members of the Legislative and Policy Committee and with the Management Committee. We are now scoping the project with Cambridge University and deciding whether to commission the research, its width and its value for money.

The first part of the year was spent trying to understand the Retained EU Law Bill and then, once we understood, attempting to convey to legislators and media its broad impact. Under Louise Taft's leadership I settled the first draft of the paper that formed a paper that Louise, Catrina and our Chair improved immeasurably before using that paper to inform our members, Legislators and the media as to the very wide impact upon employment law. That engagement seems to have had some effect in that the Bill may now be limited to named regulations and its impact may be delayed. ELA has been resolutely apolitical throughout and our role has never been to advocate for a point of view but to explain the impacts of legislation so that politicians can the make informed decisions: I am pleased to say that under Paul's leadership he has steered that difficult course between Scylla and Charybdis.

Deputy Chair's Report *cont.*

The Articles Project

The legendary Fraser Younson has been working as our General Counsel bringing much needed legal discipline to a group of employment lawyers running ELA. He has been working on a project to reform and update our Articles so that we can update them to reflect the modern needs of our Association. It has been a pleasure to work with him on this and I pay testament to his industry in his hard work to bring forward recommendations which will, by the time that this has been published, have been considered by ManCo.

BEIS / DBT

ELA have a good relationship with officials who have policy responsibility for employment law. Under Catrina Smith's leadership we continue to meet regularly with officials. These interactions are necessarily veiled by confidentiality. Our relationship with officials depends upon that. However, we continue to appreciate the fact that our voice is listened to by officials, we are consulted and useful dialogue continues to ensure that employment law is as fit for purpose as we can influence it to be.

Contributions to ELA Training

I am looking forward to speaking both at the Annual Conference on Retained EU law on 25 May 2023 and also at the upcoming Solent on 9 June 2023. Please come to either and preferably both. It is lovely, post pandemic to feel the energy, humour, intelligence and verve of getting us together.

Thank you

ELA would not be able to operate without its dedicated and professional staff. James Jaynes continues to update how we run and brings huge professionalism to his role. The team is much bigger than that and includes numbers of people working for us all including Charlie, Angela, Cynthia and Christine to name but a few of our brilliant people.

Finally, a huge thanks to all of you who so willingly give your time to train, to consult, to look after us and to run ELA. You are the reason our Association retains its pre-eminence in Employment Law.



Caspar Glyn KC
Deputy Chair

Treasurer's Report

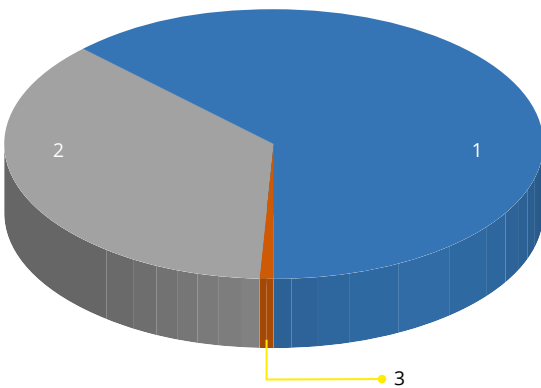
Income

ELA has had another successful year from a financial perspective generating a surplus of £78,533 for the 12 months ending on 31 December 2022. This left ELA with total reserves at year end of £770,877 comprising a nominal emergency fund of £350,000 and a development fund of £420,877.

ELA's turnover for 2022 was £968,404 compared to £819,646 in 2021 representing a significant increase of £148,488 for the prior year.

NET PROFIT FROM TRAINING AND EVENTS

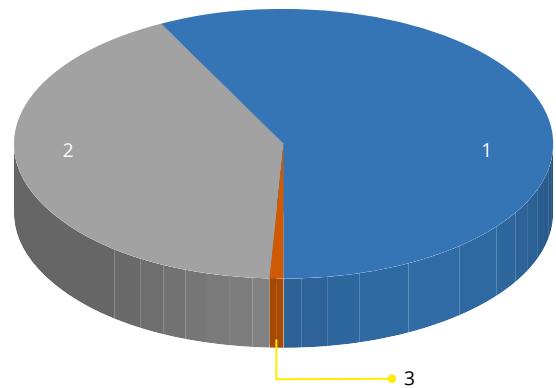
	REVENUE		TOTAL COSTS		PROFIT	
Face-to-face events	76%	359,573	93%	126,325	70%	233,248
Online events	24%	111,800	7%	9,923	30%	101,877
TOTAL		471,373		136,248		335,125



Turnover 2022

- 1 Subscriptions £492,931 **50.90%**
- 2 Training Events £471,373 **48.68%**
- 3 Other £4,100 **0.42%**

Total Turnover £968,804



Turnover 2021

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

Total Turnover £819,646

Treasurer's Report *cont.*

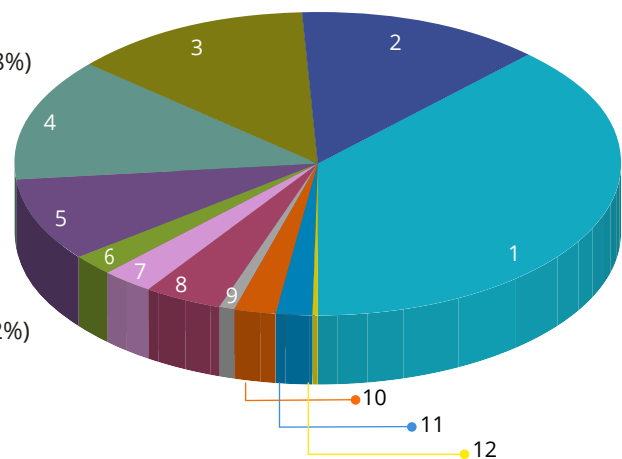
Expenditure

ELA's total expenditure during 2022 was £889,630 compared to £710,970 during 2021. The increase was in most part a result of the increase in in-person events and social events, spending on events and training increasing by £209,508.

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 £184,291 compared to £178,537 in 2021. 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	£341,462	38%	(2021: £142,722 20%)
2	Online events	£118,436	13%	(2021: £129,102 18%)
3	Membership Admin	£120,007	13%	(2021: £128,447 18%)
4	Publishing	£101,663	11%	(2021: £126,110 18%)
5	Pro Bono & ELIPS	£79,327	9%	(2021: £54,395 8%)
6	Governance	£18,076	2%	(2021: £32,481 5%)
7	L&P Committee	£30,740	3%	(2021: £28,714 4%)
8	Socials	£33,772	4%	(2021: £17,695 2%)
9	International Committee	£12,333	1%	(2021: £17,017 2%)
10	Pastoral Committee	£14,917	2%	(2021: £16,479 2%)
11	In-House	£15,452	2%	(2021: £14,100 2%)
12	Diversity Initiatives	£3,445	0%	(2021: £3,708 1%)



Total £889,630 (2021: £710,970)

Treasurer's Report *cont.*

Although in recent years the Management Committee have looked to deliver a “balanced budget” we continue to achieve small unbudgeted surpluses of £78,533 in 2022, £111,335 in 2021, £68,882 in 2020, £65,514 in 2019 and £65,513 in 2018.

1. Committed to 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
2. Held membership fees flat again in 2022. Membership fees were last increased in 2017
3. Approved a budget for 2023 which envisaged another deficit

I am pleased to report that the cost of membership administration is now just 13% of overall costs (down from 18% in 2021).

On a personal note, this is my first period as ELA Treasurer and I am really enjoying working with the ELA Management Committee and ELA Operations team. I am particularly thankful to Angela Gordon, ELA Finance Officer whose expert management of the accounting and banking systems has made my job much easier.



Rupert Scrase
Treasurer

Company Secretary
Dan Pollard, GQ Littler



Secretary's Report

ELA is a not-for-profit members organisation, established as a private company limited by guarantee and its constitution is contained within its articles of association where are available here. ELA is governed by its Management Committee (Manco) who are each elected by and from the membership every two years.

ManCo steers the policy and direction of ELA and its membership services. The day to day operation of ELA is delegated to the Head of Operations (James Jaynes) and management committee are also supported by a General Counsel (Fraser Younson). A number of services including membership administration and events management are outsourced to the team at Byword led by Charlie Maserati.

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
- Pastoral 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

The next ELA Elections will take place ahead of the AGM in around [May 2024]. Any full member of ELA is eligible to stand for any role in Manco. In practice though the main committee Chairs will often have served on the relevant committee and the Chair will have been involved with ELA for a number of years.

Secretary's Report *cont.*

New members of Manco very often join the committee either as a Regional Representative or as a Member at Large. Any members who might be considering standing is welcome to discuss with any member of the Committee and I am also delighted to have a chat about the various roles. My contact details are in the membership directory and on my firm's website.

Behind the scenes the Manco have been reviewing the ELA's Articles. The reason for this is that ELA has steadily evolved since it was originally founded over the last [34 years] and whilst there have been a number of piecemeal changes Manco have wanted to look at the Articles in a holistic manner to ensure that ELA's governance framework remains fit for purpose.

Manco have asked a small committee comprising the Chair, Deputy Chair and Secretary under the leadership of Fraser Youson to make a series of recommendations. Once these recommendations have been approved by the full Manco then Manco intends to call an extraordinary general meeting over the coming months to seek the membership's approval. Watch this space.

Fraser has indicated that he wishes to step down from the General Counsel's role but will see through the project to amend the Articles of Association before doing so. Huge thanks go to Fraser for his contributions as ELA's first General Counsel. Fraser was one of the original founding members of ELA and Manco have been hugely fortunate to have the benefit of his wisdom, dedication and good humour.

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. My thanks go to all of them.

ManCo has progressed the project to refresh ELA's Articles and bring them up to date, proposals have been discussed by the ManCo members and we are liaising with our retained law firm who are drafting the proposed updates for consultation with the membership late in 2023.

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.



Dan Pollard
Company Secretary

Chair, Legislative & Policy Committee
Catrina Smith, Norton Rose Fulbright LLP



Legislative & Policy Report

Committee

Ivor Adair, Fox & Partners
Shubha Banerjee
Emma Burrows, Trowers & Hamblins LLP
Jonathan Chamberlain, Gowling WLG (UK) LLP
Anna Dannreuther, Field Court Chambers
Kiran Daurka, Leigh Day
Shantha David, UNISON
Arpita Dutt
Robert Davies, Walbrook Law
Felicia Epstein
Clare Fletcher, Slaughter and May
Richard Fox, Kingsley Napley LLP
Peter Frost, Herbert Smith Freehills LLP
Howard Hymanson, Harbottle & Lewis LLP
Esther Langdon, Dentons UK and Middle East LLP
Anthony Korn, No 5 Chambers
Joanne Owers, DAC Beachcroft LLP
Eleanor Mannion, MacRoberts LLP
Elaine McIlroy, Brodies LLP
Paul McFarlane, Capsticks LLP
Stuart Neilson, Pinsent Masons 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

The purpose of the Legislative and Policy Committee (L&P Committee) is to assist government and governmental bodies on employment law policy, legislation and reform. We have certainly been busy over the last 6 months.

Legislative & Policy Report *cont.*

I would like to start this report with some thanks.

First of all, thanks to Caspar Glyn KC, my predecessor in the role of Chair for his wit and wisdom. A tough act to follow!

I would also like to thank all of the members of the L&P Committee who are so generous with their time, expertise and insights and make the job of Chair so rewarding.

The next group of people I would like to thank all of those members of ELA who have joined the various working parties set up by the L&P Committee. Your knowledge, practical experience and insights have gone towards, as always, a number of excellent papers. Our responses are frequently quoted and referred to in the replies to the consultation processes and demonstrates the extent to which we are relied upon to give clear and non-partisan guidance and support in the field of employment law reform. I would urge anyone with an interest in employment law reform and policy to consider volunteering for a working group – the only downside of being Chair is that I don't get to sit on them!

The calls for evidence and consultations the L&P Committee has worked on over the last six months are set out below. All are available on the ELA website.

- Retained EU Law (Revocation and Reform) Bill
- Hybrid and Distance Working
- Governance of Artificial Intelligence (AI)
- ICO Code of Practice on Monitoring at Work
- ICO Code of Practice on Workers Health
- Holiday Pay Consultation
- Human Rights at Work (including commenting on the various Minimum Service Level Bills)
- Employment Tribunal Panel Composition
- Dismissal and Reengagement

I think it is fair to say that the first few months were dominated by our response to the Retained EU Law (Revocation and Reform) Bill. In a short period of time the Working Group had put together a paper which explained the potential impact of the Bill on UK employment law. The paper has been referred to extensively in social media, in academic articles and has been used by law and policy makers to inform their decision making process.

In addition to responding to calls for evidence and consultations, we have continued to engage with government and government bodies on a confidential basis on a range of topics. We are also grateful to those members of the Committee who have engaged with ACAS and the Tribunal National Users Group to make sure the voice of employment lawyers is heard in those matters which so closely impact and effect our work.

Legislative & Policy Report *cont.*

Over the next few months, we are anticipating our involvement in the proposed HMCTS reform of the employment tribunals. We have offered the expertise of the Committee members to help shape the future of the employment tribunal service with the principle of access to justice for all at the heart of our efforts.

Our sub-committees have also been active. By way of highlights, the Race and Equality Committee members have provided valuable insights and commentary on a number of our papers to help ensure that the interests of all members of our community are taken into account in employment law reform. The City Sub-Committee have engaged on proposed reforms of PRA and FCA rules and guidance.

In terms of the next few months, I expect that we will continue to engage on the REUL Bill and have already gearing up to respond to consultations on topics such as diversity in the workplace and to further engagement with the Information Commissioner's Office on the Employment Codes of Practice.

I will also end with a word of thanks to the ELA team, in particular James Jaynes who keeps up on top of everything and keeps us all on track and on target!



Catrina Smith
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: Bina Patel (Kingsley Napley LLP), Melvyna Mumunie (Brahams Dutt Badrick French LLP),
Tanushree Sehmbi (Sky UK Ltd), Rebecca Hayes

ELA Consultation Submissions: September 2022 – April 2023

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:

Retained EU Law Bill – ELA Briefing Paper

October 2022

Review of Hybrid and Distance Working

October 2022

Governance of Artificial Intelligence (AI)

November 2022

ICO Monitoring at Work Draft Guidance

January 2023

ICO's Workers' Health Guidance

January 2023

Joint Committee on Human Rights – Strikes Minimum Service Levels Bill

February 2023

Human Rights at Work

March 2023

Calculating Holiday Entitlement for Part-Year and Irregular Hours Workers

March 2023

Senior President of Tribunals' Consultation on Panel Composition in the Employment Tribunals and the Employment Appeal Tribunal

April 2023

Chair

Eliza Nash, Osborne & Wise



Pro Bono Committee Report

I was appointed Chair of the Pro Bono Committee in September 2022. Thanks to the previous Chair, Jenny McGrandle, ELIPs was already well established as an online service and I was incredibly fortunate that Jenny remained responsible for the delivery of ELIPs (which has gone from strength to strength). My aim was to expand the reach of the Pro Bono Committee by developing new initiatives, outside of and alongside ELIPs, and encourage increased participation from the committee and wider membership.

I have been greatly assisted in furthering these aims by an enthusiastic and supportive Pro Bono Committee, who have been proactive both in the creation of ideas and of putting them into action.

The Pro Bono Committee

Jennifer Allan, GQ | Littler
Julian Allsop, Guildhall Chambers
Clare Brereton, BDBF
Lucy Burrows, Harbottle & Lewis
Shane Crawford, Five Paper
Elouisa Crichton, Dentons
Emily Darlow, Freshfields Bruckhaus Deringer
Andrew Dixon, Freeths
Rose Djalo, Houlihan Lokey
Caitlin Farrar, Farrer & Co
Ben Gray, Littleton Chambers
Roschella Griffith, Central England Law Centre
Elizabeth Hodgetts, St Philips Chambers
David Hopper, Lewis Silkin
Rebecca Hughes, Birketts
Matt Jackson, 10 Kings Bench Walk Chambers
Daniela Mahapatra, NHS Wales
Jennifer McGrandle, Dechert
Suzanne McKie KC, Farore Law
Eliza Nash, Osborne and Wise
Naomi Owen, No. 5 Chambers
Victoria Speed, Trust for London
Kate Sutherland, Harper Macleod
Katie Wood, Maternity Action

Pro Bono Committee Report *cont.*

Ours aims/what we have achieved since September 2022.

Directory of Pro Bono Opportunities

One of my initial objectives was to create a central directory of volunteering opportunities available to our members, which would be located on the ELA website and updated periodically.

This is quite a mammoth task, involving sourcing details of all the relevant services and collating and extracting the relevant information.

Lucy Burrows has headed up this project, drawing on the student resource she had whilst at BPP to research and collate the relevant information. Great headway has been made with this exercise, which is on the way to completion. Lucy has now left BPP and joined Harbottle Lewis and we are looking into using trainees from one of the larger firms, with a representative on our committee, to assist with the completion of this stage of the process.

Training for Advisers in the Not for Profit (NFP) Sector

One of our members, Victoria Speed, who works in the NFP sector, highlighted the pressing need for employment law training amongst practitioners in that field who are not employment lawyers and don't have access to ELA training.

We have been working with the ELA operations team, with support and advice from the training committee, to produce a series of webinars aimed at advisers in the NFP sector and specifically tailored to the topics that would be most useful to them (as identified by Victoria). The aim is to produce three webinars to be rolled out in around June, September and November/December this year. Going forward, more webinars will be released, following the order of priority in the list of topics.

Emily Darlow and Victoria Speed are taking this project forward, assisted by other members of the committee. We have been greatly assisted in this by the ELA operations team and also the Training Committee who have provided invaluable advice and assistance.

National Volunteers Week (1-June 2023)

We identified that this would be a good opportunity to draw attention to Pro Bono work generally and encourage more of our members to volunteer.

Pro Bono Committee Report *cont.*

Given the proximity to the ELA annual conference, rather than organise a separate event, we decided to release a series of 3 short videos throughout the week to raise awareness, as follows:

- Introduction to the Pro Bono committee and the work it does, including projects on the horizon (Eliza)
- Focus on some of the committee's initiatives in more detail (Clare)
- ELIPs overview (Jenny)

Clare (whose idea it was) and I are leading this project on behalf of the committee, with help from the ELA operations team.

Collaboration with FRU

I met with Emma Wilkinson, Principal Legal Officer at FRU, to discuss a scheme under which ELA members act as supervisors/mentors to FRU student volunteers.

Suzanne McKie is working with Emma to progress this.

National Pro Bono Week

We have an in person evening event planned for Thursday 2 November 2023. The event will be ELIPS focussed and will consist of a panel discussion with Employment Judges, followed by a curry and awards ceremony for the volunteers. The event will be hosted by Decherts and we are delighted that Employment Judges Barry Clarke and Lorna Findlay have agreed to join the panel.

Jenny McGrandle and Caitlin Farrar are responsible for organising this, assisted by the ELA operations team.

ELIPS

ELIPS continues to go from strength to strength and expand its dominion, thanks to the tireless commitment of Jenny McGrandle, assisted by the ELIPS coordinators and with the invaluable administrative support and organisational expertise of Christine Wheeler.

Testimony to its success is the fact that we are looking at expanding ELIPS to offer assistance with mediations – possibly one a week to begin with. The aim is to run a pilot with the Leeds Employment Tribunal in the forthcoming weeks. It has been agreed that Christine's hours will increase (to 18 hours a week) to help with the additional work in setting up the new service. The possibility of extending ELIPS to cover a further region – possibly the South East, has also been discussed.

Pro Bono Committee Report *cont.*

Also exciting is the fact ELIPS now has its own logo, which will be showcased at the ELA annual conference.

ELIPS coordinators:

Jennifer McGrandle - ELIPS National Co-ordinator

Daniela Mahapatra

Elizabeth Hodgetts

Allan Roberts

Grahame Anderson

Marie Walsh

Caroline Loving

Recent Feedback on ELIPS from its users:

- Very good service and assistance that is likely to be unaffordable to some people and enables them to get a better idea of whether their claim has any value and chance and worth pursuing;
- The advice given was brilliant and has helped to relieve my anxiety about the tribunal process as a litigant in person. Thank you for this;
- Just a great facility. In my case, I'm a litigant in person because I can't afford a solicitor. The ELIPS scheme helped re-assure me I did have a worthwhile claim;
- I feel I have really benefited from the clinic provided by the ELIPS scheme. The volunteer was very friendly and helped (to some degree) to relieve my anxiety about being a litigant in person. I hope the volunteers realise how much they are appreciated. Thank you to all the team;
- (1) The Advice from ELIPS was quick to access. There was no pre-meetings nor endless correspondence. (2) The Volunteer Solicitor answered all my questions (3) The Volunteer Solicitor presented as very sympathetic, patient, knowledgeable and professional. (4) The follow up minutes (via email) was very thorough and accurate. (5) I was very appreciative of being able to access this free legal advice, as Claimant, in my harassment/discrimination/victimisation case, which I would otherwise have been unable to access for financial reasons. (6) I am grateful that the Volunteer Solicitor offered to me, that if I needed further advice (for example, because of a 2nd hearing) that I was welcome to return to ELIPS for further advice. Many thanks for your help (*volunteer's name*) and ELIPS.

Anyone interested in volunteering for ELIPS should contact Christine Wheeler at elips@elaweb.org.uk

You must have a minimum of 2 years' PQE and be ELA members but the great advantage is that you can be based anywhere.

Pro Bono Committee Report *cont.*

Mumsnet clinic users

ELA members provide support with quarterly online Mumsnet clinics run in conjunction with Maternity Action (led by Katie Wood). There is currently have a panel of 36 volunteers.

In 2022 the clinic provided free legal advice on maternity and parental rights to 57 Mumsnet users facing pregnancy and maternity discrimination, redundancy and refusal of flexible work. The cost of living crisis also led to an increase in enquiries from those struggling to access maternity pay and family benefits.

The majority of those asking for advice had an income under £30,000. Everyone who received legal advice in the course of the clinics was given an opportunity to provide feedback. Feedback has been overwhelmingly positive with 85% being very satisfied with the service. 82% reported feeling more confident to take action following our advice. All users said they would recommend the service to others. The following are examples of the feedback received:

'Amazing service, gave me the confidence to speak to my manager.'

'great clinic, very happy with the help'

And Finally...

I have been really excited by what we have managed to achieve since last September. My aim was to expand our reach and develop new initiatives and thanks to the enthusiasm and commitment of the committee, who have generated and helped develop new ideas, we have done more than I might have originally expected.

I am very grateful also to the ELA operations team, especially James and Charley, for all their invaluable assistance and support in getting our initiatives off the ground.

Thank you to everyone who has volunteered for Pro Bono work and if you are interested in getting involved in any of our initiatives or in pro bono work generally, please do contact me.



Eliza Nash
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
Ann Leigh-Pollitt, Micro Focus International
Craig Ludlow, 3PB
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.

Over the last 12 months, we have re-introduced 'platform' pieces that provide something that is slightly different and informative.

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.

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.

Editorial Committee Report *cont.*

Thanks also go to the Editorial Committee itself which meet virtually, read, scrutinise and argue about what articles should be included in ELA Briefing. We always strive 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.

It is a collective effort by those named above, that has ensured that ELA Briefing continues to be one of the best employment law journals over the past 12 months.



Marc Jones
Chair Editorial Committee

Chair, Training Committee

David Regan, Squire Patton Boggs (UK) LLP



Training Committee Report

I am the Chair of ELA's Training Committee – in principle that means I'm responsible for all of ELA's training but in reality it means I rely on the fantastic Training Committee and our members to come up with the ideas for training and I take all the credit...

My aims were to ensure that ELA's training adapts to keep pace with the changing demands of our profession and the needs of our members. As part of that, we wanted to explore the switch to online training, which has been a great success and broadened access to our training sessions from a local to a national audience for most topics.

I am supported by the Training Committee:

Hannah Belton, Morgan LaRoche - Wales 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

Michelle Clarke, Shoosmiths

Connie Cliff, Gowling WLG (UK) LLP

Emilie Cole, Cole Khan Solicitors LLP

Kim Crangle, Payne Hicks Beach

George Crosse, Starling Bank

Pooja Dasgupta, CM Murray

Niran de Silva QC, Littleton Chambers

Sheila Fahy, Allen & Overy LLP

Ceri Fuller, DAC Beachcroft LLP

Sam Greenhalgh, Birketts LLP – Upper South East 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

Penny Hunt, Bird & Bird LLP

Lindsey Knowles, Brabners - North West Rep

Peter Linstead, Outer Temple Chambers

Kara Lorraine, Old Square Chambers

Annabel Mackay, Baker McKenzie LLP

Nigel Mackay, Leigh Day

Hannah Mahon, Eversheds Sutherland LLP

Laura McDonald, Jackson Boyd

David Mitchell, Millar McCall Wylie LLP - Northern

Ireland Rep

Alexandra Mizzi, Howard Kennedy LLP

Katherine Moore, Addleshaw Goddard

Stephanie Pye, Shoosmiths - Midlands Rep

Catherine Richmond, Worden Richmond

Laura Ramos, Wards Solicitors

Allan Roberts, Guildhall Chambers - South West Rep

Claire Rolston, CLR Law – North East Rep

Rose Smith, Doyle Clayton

Nikita Sonecha, Browne Jacobson LLP

Marie Walsh, Consilia Legal LLP – Yorkshire &

Humberside Rep

Anna West, Travers Smith LLP

Katie Woller, Burges Salmon

Alice Yandle, Farrer & Co LLP

Training Committee Report *cont.*

We wanted to shift to fully hybrid training for a larger number of our events, allowing members the chance to either attend in person, or virtually. This has so far largely been a success and we've had positive feedback.

We have had some challenges this year given the number of strikes, which have impacted a number of the events we have arranged. However we have adapted well and have robust systems in place to ensure that regardless of any last-minute issues we can continue to provide members with the training they need. Training numbers are also continuing to trend back upwards for both webinars and in-person events.

Annual Conference is always a highlight, although this year's version has been more stressful than most....not least the Government/ House of Lords finding multiple ways to try to keep our Plenary panel (who are talking about the REUL Bill) on their toes until literally the last minute! Annual Lecture was also a key highlight – we had a great panel, speaking on a really important topic (AI) and my inbox was full of positive messages (which I can assure you is not always the case...)

Thank you to everyone who fills in a feedback form....we need those so that we can put on the training our members actually want and need. Generally the feedback is really, really positive – that being said there are times some of our members feel we miss the mark and in those cases it's important they tell us. I can promise you we do listen!

We are looking for new members for Training Committee, so please do apply (and stop me to ask about it if you see me!). Also, please do keep getting involved – we love getting suggestions for training (whether as a speaker or otherwise) as it helps us keep our finger on the pulse!

I encourage you to join the Training Committee or, if you don't have time to make that commitment, please do keep sending in your suggestions!

It's been another fantastic year – hard work as usual but thanks to the efforts of both the Management Committee and Training Committee still very, very enjoyable. Time now for Annual Conference, following which I can relax (for at least a week), before working with the Training Committee to plan the rest of the year's events...thanks also to all of our members for continuing to come to our events. Without you we literally couldn't do this....!



David Regan
Chair, Training Committee

Chair, International Committee

Kathleen Healy, Freshfields Bruckhaus Deringer LLP



International Committee Report

I am delighted to report on the activities of the International Committee for 2022/23.

The aims of the International Committee are (1) to bring an international perspective to bear on the possible future development of legislation and caselaw in the UK; (2) to leverage the breadth of international experience that we are lucky enough to have on the Committee; and (3) to continue to build relationships with employment lawyer groups around the world.

2022/23 has been a 'chrysalis' year – when we have fully emerged, blinking, into the sunlight, from what in some countries has been a very long time in various stages of lockdown and restriction.

As I write this now, the WHO has officially declared that the Covid-19 pandemic is over. However as we all know, the impact of the pandemic, particularly on the workplace, continues to make itself felt and is likely to do so for a long time to come.

As a Committee we look in particular to identify employment law and workforce trends outside of the UK that we can delve into as either training sessions or thought leadership events. As different parts of the world have emerged from Covid-19 at different stages, our international reach has never been more important as we share information across borders about lessons learned and what the future of the work of work may hold.

Trends and training

This year we have seen a number of trends coming out of the pandemic that are internationally significant and have a relevance for the wider ELA membership. A good example of this is the material growth in the use by organisations of 'Employers of Record' (EOR). We ran a very popular training session looking at EORs from the perspective both of the employment lawyer and the EOR provider and enjoyed some lively debate about the perceived pros and cons of this employment model.

We have also run training sessions targeted specifically at the more junior members of ELA. Our most popular session was 'Demystifying Works Councils' – in which speakers from a number of different jurisdictions shared headline issues and tips for advising on matters where there are multiple local and European works council consultation requirements.

Balancing the interests of ELA solicitor members and those members who work in-house with those at the Bar, we held a session in November entitled "State of Play - Diplomatic and State Immunity in Employment Disputes". This session brought together Professor Philippa Webb with a number of different well-known barristers to discuss this particularly tricky area of law.

International Committee Report *cont.*

We continue to have a mix of online and in-person training events in recent months and are still in the process of assessing which works best. We are conscious that we do not want to be seen as London-centric and we are therefore committed to continue with a blend of in-person and online training. Not least because often our speakers are based outside the UK.

Building relationships

Our Committee members continue to participate in discussions and round-table sessions that are organised by both the EELA and the ABA. A number of the Committee members 'flew the flag' at the 2022 annual EELA Conference in Athens, and we have also been very actively participating in a variety of the ABA Labor & Employment Law Section's events, including last year's Mid-Year conference in Berlin, the ABA's Autumn conference in Washington DC and most recently the Labor & Employment Section's very successful Spring meeting in Amsterdam.

These conferences and meetings may sound like jollies, and I would be the first to admit that they are usually hugely enjoyable. But attendance at these events also provides a valuable opportunity for our Committee members to continue to develop their excellent working relationships with employment lawyers across the world, to identify employment law trends and to be part of discussing and debating the future of the world of work and bring learnings and perspectives back to the ELA membership.

My thanks to our colleagues at EELA and the Labor & Employment Section of the ABA for their friendship and enthusiasm for continuing to foster our connections.

Looking forward

This September will be the Committee's Eighth ABA/ELA Transatlantic Conference 2021, which is held every two years. Our Conference in 2021 was held virtually; this year we are back in person in London.

The date for your diaries is Friday 22nd September 2023. The theme of the Conference is "The World of Work – where next?" During the day we will explore the aftermath of the last three years of turbulence affecting workforces around the world. Given that there is not a single sector or jurisdiction that hasn't been affected by Covid-19 and that isn't now grappling with the long-term impact of the pandemic, we are looking forward to a lively discussion across a number of different topics. So what's next in the world of work? What trends and changes do international employers, workers and employment lawyers need to be primed and ready for? What have we learned from the past 3 years? Which workplace changes are temporary and which are here to stay? And what further developments do we expect the coming years to bring? We look forward to seeing as many of you as possible there.

International Committee Report *cont.*

We are also in the process of refreshing our Committee. Following a request for applications for new members, we were thrilled at how many ELA members were keen to join, and at the quality and breadth of experience that candidates for our Committee have to offer. We are in the process of finalising our selection process, but in the meantime a huge thank you to all those members who put themselves forward.

As always, we welcome comments and views on the Committee and in particular how we can seek to ensure that the work we do reaches as broad an audience as is possible. We very much hope that our training events and discussion sessions continue to contribute to the overall value that ELA offers to its members and that we bring a different perspective to ELA events and discussions.

I am grateful to each and every member of the Committee for their time and efforts over the last year and for the humour and camaraderie they each bring to our meetings.

I say this in every report, but I am (and remain) privileged to be the Committee's Chair.

A particular thank you to the awesome ELA team– James, Rebecca, Charley, Angela and Cynthia for all the support you give our Committee. We could not do what we do without your ongoing help and support.



Kathleen Healy
Chair, International Committee

Chair, In-House Committee

Ken Morrison, St. George's University of London



In-house Committee Report

I am working with the committee members to offer a planned programme of networking and training opportunities for in-house employment lawyers based in part, at least, on the work the committee undertook in the period 2021-22

The Inhouse Committee includes, in alphabetical order:

Radhika Aggarwal, Oldham Council
Laura Cropley, Specsavers
Rachel Dabiri, Google Deepmind
Zoe Dudgeon, Deutsche Bank
Kate Gallagher, University of Nottingham
Ajay Khandhar, Canva
Beth Kruszynskyj, CBRE
Shona Logie, Rimini Street Inc.
Anne MacFarlane, Glasgow City Council
Elaina Moss, Royal Holloway, University of London
Debbie Nathan, University of the Arts London
Grazia Pac, Bank of England
Sanam Tak, Kraft Heinz
Lorrelee Traynor, NHS Wales Shared Services Partnership
Verity Watson, University of Stirling
Sarah Wilder, Staffbase UK Ltd
Michael Whitbread, Vesparum Capital

We set out to hold an in-person conference, establish what inhouse members want from ELA, work with the Treasurer and other interested parties to make a proposal for different membership packages to ease the burden of processing payments to ELA, and develop opportunities for inhouse members to contribute to the overall work of ELA and avoid silo-ing or duplication of effort.

In-house Committee Report *cont.*

Our primary achievement was the successful relaunch of the annual in-person annual inhouse conference, attended by nearly 50 delegates in March 2023. We have also refreshed our committee membership and are in the early stages of developing our proposition for membership fees and future activities.

The undoubted highlight was the conference itself. Several members of the committee worked hard to deliver a stimulating programme of panellists speaking on a range of topics across the day. It was fantastic to work closely with so many committee colleagues.

We received great feedback from delegates.

We would like to have members' feedback on what kind of membership packages would be good, and what inhouse activities members would like to see us to deliver.

We would appreciate suggestions and proposals for activities that the inhouse committee can offer to members.

Our refreshed committee are a core of enthusiastic and thoughtful people at the heart of the committee who are working 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. Thank you.



Ken Morrison
Chair, In-House Committee

ELA Junior Lawyer Representative

Hannah Lynn, Brahams Dutt Badrick French LLP



Report from ELA Junior Lawyer Representative

The Junior Committee meets by-monthly to discuss the needs of ELA's junior members (less than 5 years PQE/call), as well as organising:

- Training;
- Social events; and
- Pro-bono opportunities.

We are keen to ensure that we take in regular feedback from junior members across the UK and across all of the different branches of the profession. We have sought to ensure that the Committee reflects (as far as possible) the membership. This diverse group of junior lawyers seek to help and ensure that ELA meets the needs of all of its junior members.

The Junior Committee comprises:

Cerys Mathers, DAC Beachcroft LLP (ELA Management Committee – Junior Member at Large)

Hannah Capstick, Howard Kennedy LLP

Georgina Churchhouse, Littleton Chambers

Chantelle de Filippis, Stevens & Bolton LLP

Nelofar Farhang, Morgan, Lewis & Bockius UK LLP

Natalie Flynn, Ashurst

Ellen Goodland, Burges Salmon

Fen Greatley-Hirsch, Broadway House Chambers

Jemma Green, Bryan Cave Leighton Paisner LLP

Rachel Harris, Freshfields Bruckhaus Deringer LLP

Kate Heywood, Withers LLP

Kate Higgins, Addleshaw Goddard LLP

Patrick Higgins, Bishopsgate Law

Lauren Hitchman, 2 Temple Gardens

Sophie Jamieson, Lewis Silkin

Roisin Kavanagh-Brown, Teacher Stern LLP

Christopher Leneghan, A&L Goodbody - Belfast

Albert Mould, Slater Heelis Limited

Rebecca Mullins, Burges Salmon

Alice Rockall, Conde Nast

Sylwia Zaczek, Hutchinson Thomas

I was appointed to the role in September 2022 and made the decision to refresh the entire ELA Junior Committee to allow for new members to join. This has meant we have been able to ensure that we have a diverse group of committee members, which span the breadth of our general membership. This includes ensuring that we have as many committee members throughout the UK, in different firms and at different levels of pqe/years call.

Report from ELA Junior Lawyer Representative *cont.*

My aims coming into the role have been to:

- Continue the excellent work of the previous committee to ensure greater engagement from junior members and deliver training that assists members' professional development;
- To ensure engagement from junior members around the UK, specifically outside of London; and
- Expand social and networking events for junior lawyers.

The whole junior committee plays a key role in my being able to carry out my role. They have assisted with ensuring our speed mentoring event has gone smoothly, contributed to ideas for future events (including socials and training) and made sure that other junior lawyers are aware that we are here.

The committee has continued to ensure that junior lawyers have had a voice at ELA since September 2022. We have successfully run one of our speed mentoring events, enabling the popular initiative to continue as it has done in previous years back in person again. The purpose of the 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.

We have relished being able to hold an in-person event again and are continuing this with holding the junior committee's first ever slot at ELA's annual conference in May 2023. At the time of writing, we have not participated in this yet, but are very much looking forward to showing the general ELA membership exactly what the junior committee does and how we seek to do the best for our members.

We are also holding our first in person social event in London on 8 June 2023. This is the first event since November 2019 and we are very excited to have junior lawyers networking in person once again. This event is in London, but open to all junior members who we are very much looking forward to seeing there.

We have several other events in the pipeline around the UK and hope to hold at least one further speed mentoring event in 2023.

We already have engagement from junior lawyers outside London which is a big win for us. We are very keen to ensure that the idea that ELA is 'London centric' is not true and want to ensure future initiatives are for all of our junior members no matter where they are based.

I hope that we can continue along the path that we are currently for the rest of the year.

Report from ELA Junior Lawyer Representative *cont.*

I am so pleased that the new ELA Junior Committee members have thrown themselves into their roles. They have really reminded me how successful we can be when we work as a team.

We wouldn't be half as good a committee however if it wasn't for the excellent operation team at ELA who work exceptionally hard to assist us with everything that we need.

Please stay tuned, we are working on numerous initiatives that we are really excited about. The next two things in our diary is:

- Our conference slot "Navigating the new normal in the post-pandemic law firm" at the ELA Conference on Thursday 25 May 2023; and
- our social event in London on 8 June 2023. We look forward to seeing the junior membership there!

The committee welcomes any ideas and input from any of ELA's junior members on future initiatives or even if there is something they want to highlight that they think would be important to our members please do get in touch.

We are looking forward to the year ahead and with the pandemic now declared over, we are very much looking forward to seeing the ELA junior membership in person!



Hannah Lynn
ELA Junior Lawyer Representative

Chair, Pastoral Committee
Beth Hale, CM Murray LLP



Pastoral Committee Report

I was elected chair of the Pastoral Care Committee in 2022, having been involved in the inaugural, informal pastoral care committee while I was a Member at Large. I am delighted that this committee has been made a permanent feature to continue the excellent work in a profession in which wellbeing is all too often overlooked.

Committee

My first job as chair was to appoint a full Pastoral Care committee to work with the smaller team who had come together (at the excellent suggestion of Marian Bloodworth) to provide support to ELA members during the early days of the pandemic. We were delighted with the number and quality of applications we received and have sought to appoint a committee which is representative of the diversity of ELA members. We are ably assisted and supported by the brilliant Charley Maserati without whom we would almost certainly get nothing done.

The committee members are as follows:

Chair: Beth Hale, CM Murray LLP
Emma Clark, Keystone Law
Judith Harris, DLA Piper UK LLP
Catherine Maskery, Russell-Cooke LLP
Sinead McCracken, Government Legal Department
Elizabeth McGlone, Didlaw
Natasha Mills, Clyde & Co LLP
Philippa O'Malley, Slaughter and May
David Palmer, Herbert Smith Freehills LLP
Helena Pires, Lewis Silkin
Charmaine Pollock, Farrer & Co LLP
Jessica Shemmings, Rackspace
Clare Walsh, Penningtons Manches Cooper LLP
Melissa Willrich, DWF LLP

Pastoral Committee Report *cont.*

Aims and achievements

My aim as chair was to continue the excellent work of the informal inaugural committee by providing meaningful and regular pastoral support to ELA members, including:

- Provision of regular webinars (free to members) dealing with a wide variety of topics falling under the very broad “pastoral care” umbrella
- Creating some video content for the ELA website providing tips and practical advice on entry into the profession and career development
- Recognising the value to individuals in carrying out voluntary and other pro bono work, working with the Pro Bono committee to find projects on which we could collaborate
- Creating informal opportunities to bring employment lawyers together in person
- Creating and maintaining a database of useful contact for members on the ELA
- Administering the ELA scheme providing support for self-funding employment lawyers

We have run a number of really excellent (and well received) online sessions, including covering tricky issues such as burnout, imposter syndrome, resilience under pressure, rebalancing work and life and anxiety. We have also run several virtual coffee mornings and our inaugural Keeping Connected Coffee Morning which took place simultaneously in venues across the country.

We have a breakout session at the conference on bullying in the workplace and are planning future webinars including on bereavement, fertility, alcohol and addiction issues and dealing with difficult clients.

We regularly get several hundred sign ups for our sessions – which demonstrates the very real need for this committee – and have received consistently positive feedback.

Thanks

Huge thanks go to:

- Marian Bloodworth for spotting the need for this committee and acting on it;
- Charley Maserati for making sure our thoughts and ideas get put into practice;
- Paul Singh for his amazing work on the committee before he had to step down;
- The brilliant Pastoral Care Committee for your willingness to volunteer for all sorts of projects – there are never tumbleweed moments in our meetings;
- And finally - all the excellent speakers and contributors who have so generously provided their time and insights for rates which are well below their real value

Pastoral Committee Report *cont.*

How can you help?

We would be delighted to receive suggestions for future topics and events from members. However niche or specialist you may think your ideas are, there will always be someone else who has experienced similar and would appreciate some guidance. Please feel free to get in touch with me or any other member of the committee. Similarly – if you have seen or heard any brilliant wellbeing content (whether related to the legal profession or otherwise), please let us know – we are always on the look out for excellent speakers.

And finally...

I view the creation of the Pastoral Care Committee as a really positive legacy from the pandemic. As I have said above, the number of sign-ups we have for each of our events suggests I'm not alone in that view. The need for varied and regular pastoral support for ELA members is not going away and I look forward to meeting as many of you as possible in person or on screen in the coming months.



Beth Hale, CM Murray LLP
Chair, Pastoral Committee

Report from Regional Representatives

Lower South East

The last 12 months have seen some great opportunities within the region for members to catch up. In June 2022, the Solent Employment Law Conference took place at the Harbour Hotel, Southampton, with around 50 attendees. Planning for the upcoming training day in June 2023 is well underway and we have four fantastic sessions lined up. I'm delighted that Regional Employment Judge Pirani has kindly agreed to speak again, alongside some great sessions on Holiday Pay, Age Discrimination and an exciting session on the Psychology of Giving Evidence.

From a social perspective, in April 2023 the region held a networking lunch in Winchester, attended by around 20 local employment lawyers and barristers. It was great to catch up and I look forward to organising a similar event again. We also held a shuffleboard event in autumn last year.

It was great to attend the ELA Pastoral coffee morning in Southampton in February 2023. I am particularly keen to encourage opportunities for recently qualified junior lawyers to meet and build their network, having trained throughout the difficulties of the pandemic.

The training committee are continuing to put forward a wide and diverse range of training, much of which can be delivered online. I enjoyed chairing a national webinar on health and safety for employment lawyers in October 2022. I am also assisting with the planning of an upcoming webinar on the employment aspects of insolvency.

Looking forward, I would welcome any suggestions for speakers/topics that members are interested in.

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 happy to discuss.



Sarah Hayes, Paris Smith LLP
Lower South East Regional Representative

Report from Regional Representatives

Midlands

I have now been in role since October 2022.

Now that we are on the other side of the pandemic, it is my hope to encourage more face-to-face interaction across the region. We kick-started this with a social event in Birmingham in February 2023 which was one of the most well-attended regional in-person events. I want to continue this momentum with further events across the region, with the next one being planned in Nottingham.

I aim to collaborate with our other ELA committees and am currently looking into arranging an event with the Junior Committee. I also fully encourage our members to attend coffee mornings with the Pastoral Committee when they become available.

I also participate in the Training Committee and will continue to support with the annual programme of training offered across the UK. Excitingly, we will be the first region to roll out a new in-person advocacy training day this summer, details of which will be circulated soon.

I do of course recognise that there is still a need for virtual or hybrid training sessions (and other events), particularly for those of us who are not necessarily based centrally and I will continue to promote availability of such sessions for those who will benefit.

Thank you to everyone who responded to our recent regional mini survey. I shall be keeping your responses in mind in planning future get-togethers and suggesting training topics of interest.

I'm hoping to continue to develop communication and collaboration across the region so please do get in touch if you have any questions, concerns or comments that ELA might be able to address, or otherwise if you have any suggestions for a get-together or event in your area. Please do feel free to connect with me on LinkedIn or otherwise by email.



Steph Pye, Shoosmiths
Midlands Regional Representative

Report from Regional Representatives

North East

I was appointed the representative for the North East region in December 2022. The region has not had a representative for a number of years and so my immediate aim, in conjunction with James is to arrange our first social event of 2023 and re-engage the current members in the region. The event hopes to combine an opportunity to hear from a key member of the local judiciary. The regional mini-survey highlighted that the more senior members are seeking specific regional training, which we also hope to address moving forwards.



Claire Rolston, CLR Law Ltd
North East Regional Representative

Report from Regional Representatives

Yorkshire & Humberside

I have now been in role for six 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 been helped enormously by members in the region who have interacted with me mainly via email in such a positive way and also the various committees, Manco, Byword and the regional ET and Judges. The collaboration has been fantastic.

ELIPS is fully operational in our region now and we have been selected to take part in a trial expansion of the scheme into Judicial Mediations. I have been working with the judiciary and the fabulous ELIPS team to make this happen so watch this space. Thank you to Christine for all her help. So far we have helped a large number of LIPS in the region and im sure over time this will have great impact.

The membership in my region has been greatly supportive and I couldn't have done this without them. Their support is very much appreciated and it's been a regional effort. Special thank you to the chambers who have offered to be back up ELIPS advisors namely Park Lane Plowden and St Philips.

I'd like to thank everyone who has attended our social events and pastoral coffee mornings and these will continue. Im working hard on the feedback from the recent survey and hope that more of these events will be happening over the next year. Also, more tailored and regional training.

The offer still stands if anyone wants to start a social committee regionally in the main hubs for example Leeds Hull York and Sheffield that would be great

I am really looking forward to seeing everyone in the region both socially and at training events as we move forward and I would like to thank everyone for their support.



Marie Walsh, Consilia Legal
Yorkshire & Humberside Regional Representative

Report from Regional Representatives

Upper South East

After the sad and untimely death of Michael Duggan KC, I was co-opted as the Regional Representative of the Employment Lawyers Association for the Upper South East in December 2022. The Upper South East region covers Berkshire, Oxfordshire, Buckinghamshire, Hertfordshire, Essex, Bedfordshire, Cambridgeshire, Norfolk, Suffolk. With such a diverse type of work that employment lawyers are practising within the region and the broad geographical spread, I canvassed the views of members regarding how they have used ELA services and accessed the benefits to ensure they were getting the full value out of their membership and to enable us to reposition, highlight or bring further services and support to members.

I was really pleased with the response rate. The vast majority of members had more than one point of contact with ELA throughout the course of a year and there was a high level of active participation (attending a training or social event rather than just receiving the email updates). There was clearly an appetite for in person social events. This led on to a planned roadshow of social events starting in the west of the region focused on the main hubs of where employment lawyers are located (work wise). In the week commencing 19th June, we have social events booked for Oxford, Reading, Milton Keynes and Chelmsford with further social events arranged for the east of the region - Ipswich, Norwich and Cambridge in early July. At the time of writing, these events have not taken place but the feedback from them will inform how we continue to support the region for the remainder of the year and beyond.

Any feedback on ELA's work within the region would be greatly appreciated and I am always on the hunt for fellow ELA members who are able to champion the work that ELA does and the support it can provide members. Please do not hesitate to get in touch.



Sam Greenhalgh, Birketts LLP
Upper South East Regional Representative

Head of Operations
James Jeynes, ELA



Operations Report

Another year of successes and I owe a lot of that to my team who have worked tirelessly through the peaks and troughs of activity across this reporting period. Yet again we have seen an increase in membership through to the end of 2022 and numbers are still climbing as we move through 2023.

This period successes have included:

- We filled all the regional representative roles on ManCo allowing us to revitalise the regional structure;
- We have held numerous in-person social events around the UK meeting new members in all areas;
- We have responded to numerous UK Government, UK Parliament and Public Body consultations and calls for evidence
- We have continued to develop our internal technology which ensures we can provide the best service possible to our members
- We have upped our game around the delivery of webinars by adding captioning to ensure we are continuing to be as inclusive as possible
- We have seen many committees refresh their membership and as a result we are delighted to have a wave of new people delivering high quality output in all of our professional areas.

The ELA Operations team have been a pleasure to work with again, delivering on all fronts to solve more unique challenges throughout 2022.

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 its dedication to the high quality delivery of all aspects of the ELA membership offer, we would not be able to provide such a range of well received services to our members.

Operations Report *cont.*

Looking Ahead into 2023

Throughout this year we have planned a whole range of in-person social events across all parts of the UK. We have also sent out a regional mini survey which is helping us understand how members would like to interact with ELA around events and services. We will also be looking at how we can attract new members in key areas such as In-House lawyers.

As at 2 January 2023, ELA had 6662 members compared to 6530 members at the same point in 2022. The membership comprises:

- 6090 Full Members, compared to 6034 in 2022
- 383 Associate members, (trainee, foreign, qualified lawyers engaged in research, members of the judiciary), compared to 329 in 2022
- 189 Correspondents, (voluntary sector organisation members with a material interest in employment law), compared to 167 in 2022

We have seen membership increase in 9 of our 12 ELA regions, with just under half of the membership still being based in London.



James Jeynes FRSA
Head of Operations



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