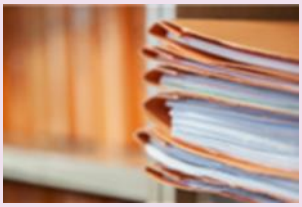
East Midlands Councils

HR BULLETIN

MARCH 2026

LGR for HR Session 23rd April 2026



Darren Newman's advice on collective redundancy

Coaching and Mentoring Development Opportunities

National Developments

LGR – LEARNING POINTS FOR HR LEADS – 23RD APRIL 2026 2.00-4.00PM

EMC has arranged a virtual session for HR leads to hear the most important insights on LGR, based on the experience and knowledge of going through LGR within the Northamptonshire county area. This will be an excellent opportunity to find out the key learning points and how HR leads can best prepare for LGR in practical terms.

Marie Devlin-Hogg from North Northamptonshire Council and Alison Golding from West Northamptonshire Council will be sharing their experience and key learning points, along with a Q&A opportunity as part of the event which is free to attend.

READ MORE

LEARNING & ORGANISATION DEVELOPMENT NETWORK – 21ST APRIL 2026 10.00AM

The next meeting of the Learning and OD Network is taking place on MS Teams at 10.00am. The network is a great way for people with L&D or OD within their remit to meet and share information and approaches.

If you aren't currently registered as a member of the network and would like to be included in the network distribution list and attend the meetings, then please contact Lisa at lisa.butterfill@emcouncils.gov.uk

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PROJECTS WITH LOCAL AUTHORITIES

During March EMC has supported authorities with:

- Coaching
- Recruitment
- Mediation
- Restructuring

Contact Sam or Lisa if you would like any support in your organisation.

CONTACT LISA

CONTACT SAM

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LEARNING & DEVELOPMENT

PERSONAL SKILLS DEVELOPMENT OPPORTUNITIES IN COACHING AND MENTORING

DEVELOPING YOUR MENTORING SKILLS – HALF DAY VIRTUAL WORKSHOP

On Wednesday 3rd June from 09:00 – 13:00 we are providing an opportunity to develop your mentoring skills by:

- Achieving a common understanding of the role of the mentor
- Having increased awareness of mentoring skills and behaviours, including ethical boundaries
- Developing skills and confidence to feel able and equipped to take on the role of a mentor

This practical workshop will invest in your understanding of the mentor role and the key mentoring skills required with opportunities for hands on learning!

For booking and further information on the learning objectives, outline content and facilitator please read more below.

READ MORE

INTRODUCTION TO COACHING SUPERVISION – ONE DAY FACE TO FACE WORKSHOP

On Wednesday 24th June 2026 – 9.30am – 4.30pm at Pera Business Park, Melton Mowbray we are providing a fundamental introduction to coaching supervision in the workplace.
This is ideally suited to people experienced in coaching at a senior level with ILM 5 or 7 qualifications and/or senior L&OD managers/partners and organisational coaching champions who undertake in house coaching supervision as part of their role.

This introductory day will provide participants with a central understanding of the importance of coaching supervision and two key models to work with. The morning is focused on the process of 1:1 Supervision, and the afternoon covers the essentials of group supervision.

For booking and further information on the learning objectives, outline content and facilitator please read more:

READ MORE

ILM 7 IN COACHING AND MENTORING STARTING 2ND JUNE – JUST 2 PLACES LEFT!

Support your personal development and gain an internationally recognised qualification in executive coaching and mentoring. Ideal for those aspiring to develop a career path in coaching and mentoring at this level and/or who are coaching/mentoring at a senior level. For more information and to book – please click read more:

CONTACT LISA

READ MORE

DON'T FORGET OUR NEXT VIRTUAL LEARNING AND OD NETWORK WILL TAKE PLACE ON 21ST APRIL 2026 AT 10.00AM. HOPE TO SEE YOU THERE!

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IN DEEP WITH DARREN

COLLECTIVE REDUNDANCY CONSULTATION – WHEN IS THIS TRIGGERED?

When an employer is proposing to dismiss 20 or more employees over a 90-day period then it must consult employee representatives about a range of matters – including ways of avoiding those dismissals (S.188 Trade union and Labour Relations (Consolidation Act 1992). A failure to do so may lead to a claim for a 'protective award' covering all those employees who are actually dismissed. This award is punitive. It is designed to punish the employer for its failure to consult, not to compensate individual employees for losses they have suffered. This means that a total failure to consult is likely to result in a protective award of the maximum amount allowed for. For dismissals that occur on or after 6 April 2026 the Employment Rights Act 2025 doubles that maximum amount from 90 to 180 days' pay for each employee. When large numbers of employees are affected, failing to consult representatives over a collective redundancy exercise can be a costly mistake.

Knowing when the obligation to consult representatives is triggered is obviously crucial and it is not always straightforward. The current rule is that the employer must be proposing 20 or more redundancies at a single establishment. When first introduced, the Employment Rights Bill proposed to remove the 'single establishment' requirement meaning that 20 or more redundancies across the employer as a whole would be enough. That would have caused real difficulties for large employers with lots of different establishments. Ten redundancies might be proposed at a site in Scotland with a further five in a completely different part of the business in Manchester. If the London office then proposed a further five redundancies, the threshold might be met even though there was no connection between the three redundancy exercises.

In the event, the Government dropped this plan. Instead it is now consulting on an overall threshold in addition to the existing one. The preferred option seems to be that the duty will arise when there is a proposal to dismiss 250 employees across a business as a whole or 20 employees at a single establishment. This is much more manageable. Even the largest and most dispersed business is likely to know when it is proposing to dismiss 250 employees. Whatever the final proposal is, however, the change is not even scheduled until 2027 and so we can safely park it on the back burner for now.

Nevertheless, the question of whether the employer is proposing 20 or more redundancies at a single establishment within a 90 day period may not be straightforward. First of all, it is not a question of how many employees are actually dismissed. What matters is how many redundancies are proposed. If the employer proposes to dismiss 20 employees but in fact only dismisses 15 then the duty to consult still applies. Conversely it may be possible that more than 20 redundancies actually occur but that the employer never at one time actually proposed to dismiss that many.

This is the point made by the recent case of Micro Focus Ltd v Mildenhall (EAT, December 2025). The employee was dismissed as a part of a restructuring exercise that was complex and fluid. It was not clear how many redundancies actually occurred but the Tribunal accepted the employee's argument that it was around 45. The Tribunal inferred from this that the employer must have proposed to dismiss at least 20 employees at the establishment in question and since no formal consultations had taken place the employee was entitled to a protective award.

The EAT held that this was the wrong approach. The Tribunal could not simply deduce from the fact that more than 20 dismissals occurred within a 90 day period that the employer must at some stage have been "proposing" at least 20 dismissals. It was possible, for example, that there was an initial tranche of redundancies followed a completely separate redundancy exercise arising from completely different circumstances. As long as the first set of redundancies actually took place before the second set were proposed then it could not be said that any point the employer was 'proposing' both sets of redundancies.

The EAT stressed that what actually happened may provide good evidence of what the employer was proposing. Tribunals should not allow employers to evade their obligation to consult by simply proposing redundancies in batches of less than 20. The Tribunal should look carefully at what happened to see if in fact the employer always knew – or at least contemplated - that 20 or more redundancies would be required. In a such a case the threshold would be met even if the employer was not forthcoming about what its proposals actually were.

It was also possible that separate proposals for redundancies could overlap with the result that the consultation threshold was met. For example, if one proposal for ten redundancies is made and then followed by another proposal for ten redundancies (at the same establishment) before any of the employees affected by the first proposal are actually dismissed then the result is that the employer is proposing to dismiss 20 employees even if the two individual redundancy exercises are entirely separate.

In the Micro Focus case the Tribunal had not made sufficient findings to determine whether the duty to consult representatives actually arose. The case was therefore sent back to the Tribunal for them to consider the matter again.

DARREN'S ADVICE TO LOCAL AUTHORITIES

The case may tempt some employers to try to game the system to avoid hitting the consultation threshold by staggering their redundancy proposals. But we can expect Tribunals to be on the lookout for such tactics. Local authorities are well placed to consult employee representatives about potential redundancies, and it is on the whole better to err on the side of caution. Engaging in consultation does not prevent the employer from arguing that there was no obligation to do so, should there be a Tribunal claim that the consultation was inadequate.

In any event, effective consultation not only helps to preserve good industrial relations, but can also genuinely lead to proposals being changed and redundancies being avoided. Consultation is a 'good thing' and Tribunals are not going to criticise employers for consulting when they do not, technically, need to do so.

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NATIONAL DEVELOPMENTS

NATIONAL PAY DEVELOPMENTS

2026 Pay Negotiations – Pay Offers for Green Book Employees, Chief Officers and Chief Executives

The National Employers Side of the Joint Negotiating Committees met on 24th March to give further consideration to the feedback from the regional pay briefings and the responses to the pay survey provided by councils. As an outcome of the meeting, full and final pay offers were made for Local Government Services (Green Book) employees, Chief Officers and Chief Executives. The offers are all for a one-year offer of a pay increase of 3.3 percent for each of the bargaining groups. The circular relating to the offer and details of the claims from these groups are available on EMC's website via the link below.

Finally, in terms of Craftworkers, agreement on pay for 2025 has not been reached. The unions representing Craftworkers have not lodged a claim for 2026.

READ MORE

Soulbury – 2025 Pay Agreement Reached

Agreement has been reached with the Soulbury Trade Unions on a pay award for 2025 which is a 3.2% pay increase to be backdated to 1 September 2025. You can access the Circular (JESC 238) which relates to this pay award by clicking on the link below. We understand that the Soulbury Trade Unions intend to submit their pay and conditions claim for 2026 during March.

READ MORE

GOVERNMENT RESPONSE TO CONSULTATION ON ETHNICITY & DISABILITY PAY GAP REPORTING

The Government has published its response to the consultation exercise conducted on proposals to introduce ethnicity and disability pay gap reporting for large employers (those with 250+ employees). The response confirms plans to legislate for mandatory ethnicity and disability pay gap reporting, with implementation dates still to be confirmed. A copy of the response is available through the link below.

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CLARIFICATION ON TRADE UNION FACILITY TIME REPORTING REQUIREMENT

On 18 February 2026 the Trade Union Act 2016 requirement on local authorities and other public sector bodies to report trade union facility time was repealed.

However, the requirements on local authorities in England to publish trade union facility time information in paragraph 45 of the Local Government Transparency Code 2015 remain in place. The Code can be accessed through the link below. The Ministry of Housing, Communities and Local Government has informed the LGA that there will be a consultation on the changes to the Code later this year, inclulding amendes to address this issue.

READ MORE

INCREASE TO STATUTORY REDUNDANCY PAY LIMIT & UNFAIR DISMISSAL COMPENSATION

From 6th April 2026 the statutory limit on a week's pay for statutory redundancy pay will increase from £719 to £751 per week. The maximum compensatory award for unfair dismissal also will increase from £118,223 to £123,543.

There will also be an increase to compensation for unlawful inducements related to collectively bargained terms and conditions under s.145B of TULR(C)A, from £5,735 to £5,993.

The increases take effect where the appropriate date is on or after 6 April 2026.

LGPS CHANGES FROM 1 APRIL 2026

The Government has published changes to the LGPS Regulations to take effect from 1 April 2026. These affect how certain periods of unpaid leave should be treated for an LGPS member from 1 April 2026. See Bulletin 273 for more information about the changes and contact your pension administrator to find out about any changes to their processes and reporting requirements.

Access to the LGPS for mayors and councillors

MHCLG has published a partial response to the Access and Protection consultation. The Government has confirmed that it will proceed with plans to extend the LGPS to councillors and mayors in England. We expect the new rules to come into force from 11 May 2026.