



EDI Network Update



East Midlands Challenge –
7th Oct 2027



Coaching and Mentoring
Support



National Developments

AN UPDATE FROM THE REGIONAL EQUALITY, DIVERSITY AND INCLUSION (EDI) NETWORK

On 20th August, 25 members of the EDI Network met virtually for an ad-hoc meeting to share approaches and learning following the updated Equality and Human Rights Commission Code of Practice, which became statutory on 5 August 2026 after approval by the Secretary of State.

The meeting gave network members an opportunity to discuss implementation plans, communications, and practical issues raised by residents and staff in response to the Code of Practice.

The format encouraged open discussion on topics including frontline staff training and guidance, accessible toilet provision, workplace requirements, public services, and leisure facilities. Participants also shared early lessons learned and agreed to exchange useful templates after the meeting.

The next full EDI Network meeting will take place on MTeams on 15 September at 2.00pm. If you are not already on the network's distribution or membership list and would like to join, please contact Suzanne suzanne.boulton@emcouncils.gov.uk.

EAST MIDLANDS REGIONAL EMPLOYERS BOARD

Following EMC's AGM, appointments to the Regional Employers' Board have been confirmed. Cllr James Dawson, Leader of Erewash BC was appointed Chair of the Board, with Cllr Jonathan Wheeler of Rushcliffe BC and Cllr Harrison Fowler of Leicestershire CC as Vice-Chairs.

The Board reflects the political make-up of the region and provides Member oversight and steer on EMC's work relating to workforce priorities, and learning and development for officers and Members. The Board also forms the Employers' Side of the Regional Joint Council.

PROJECTS WITH LOCAL AUTHORITIES

In August EMC has supported authorities with:

- Chief Executive Appraisals
- Disciplinary Hearing support
- Independent investigations

Contact Sam or Lisa to discuss how EMC can support your organisation.



COACHING & MENTORING SUPPORT

We are pleased to offer a range of tailored coaching sessions to help individuals navigate complex change and uncertainty more effectively.

Coaching for Resilience – working with energy levels for sustainable self-care | 16th Sept 2026 | 10am-12.30pm

This on-line session will provide delegates with the tools to build resilience and to support them to manage challenges more effectively. This workshop focusses on the concept of energy levels which is essential for healthy balance and ensuring our resilience is well maintained.

Without awareness of our energy levels, resilience can become ‘toughness’ and employees become experts at pushing through burnout rather than taking action to prevent it.

Participants will explore the 4 different energy types, how they impact our resilience, how to identify the warning signs when low energy is causing low resilience and how to work with and support coaching clients to build their own energy management habits.

[READ MORE](#)

Coaching for Collaboration and Relationship Dynamics | 19th Nov 2026 | 10am-12.30pm

This practical and interactive CPD session is designed for qualified coaches who want to strengthen their ability to support clients facing collaboration and relationship challenges in organisational settings. Through a range of evidence-informed tools, frameworks and coaching interventions, participants will learn how to help clients understand the relational dynamics that can enable or hinder progress, develop greater awareness of the perspectives and needs of others, and build productive working relationships that support successful outcomes.

[READ MORE](#)

Coaching CPD sessions are provided free of charge to subscribers of the EMC Coaching & Mentoring Network. Non-subscribers are welcome to attend, subject to a participation fee.

EAST MIDLANDS CHALLENGE – 7TH OCT 2027 – RUNNING A UNITARY COUNCIL

Back by popular demand, we are delighted to announce that East Midlands Councils will host the East Midlands Challenge event on 7TH October 2027 at Leicester Racecourse in Oadby, Leicester.

The Challenge offers a fantastic opportunity for aspiring leaders to gain exposure to issues outside of their normal work, giving them a taste of what senior management is really like and testing their skills in running a Unitary council. The East Midlands Challenge gives aspiring senior leaders of the future an opportunity to test their ever-developing skills in a real life but safe environment. Taking on the role of senior management, teams of 6 people are required to prioritise a series of challenges, gaining exposure to issues outside of their normal work and expanding their skill set in the process.

Please save this date. Further information will be shared in October.



IN DEEP WITH DARREN

EQUAL PAY PROPOSALS

As the reforms of the Employment Rights Act 2025 continue to come into force – with a whole tranche of new measures due to take effect in October – it is worth checking in on the rather low-key consultation on Equal Pay and Discrimination the Government launched in July and which runs until 27 October.

It was originally the Government's plan (as set out in the Labour Party Manifesto for 2024) to introduce a 'Landmark Race Equality Act' to extend the law of equal pay to cover differences in pay between employees of differing ethnic backgrounds. It is an odd feature of UK equality law that differences in pay – or indeed any contractual term – between men and women can only be challenged through an equal pay claim. There is no need for claimants to prove that sex is the reason for the difference in pay, but they must identify an actual comparator of the opposite sex and show they are engaged in equal work. That issue alone can take years to work its way through the Tribunal system. The employer can then defend the claim by pointing to a material factor other than sex as the reason for the difference in pay and the question usually comes down to whether or not that material factor is tainted by sex discrimination.

If however, an employee believes they are being paid less because of race, disability or some other protected characteristic they must bring a discrimination claim. The crucial question will then be the reason for the difference in pay between the claimant and either a real or hypothetical comparator in the same relevant circumstances.

I am not aware of anyone in the world of employment law who thought it would be a good idea to extend equal pay law to cover protected characteristics other than sex. The Government's apparent belief that an equal pay claim was unequivocally a 'better' right than a discrimination claim seems to ignore the many obstacles that those bringing an equal pay claim face. You only have to look at the ongoing claims affecting supermarkets to see how long, drawn out and expensive such claims can be. Discrimination claims have their challenges too, but few would argue that an equal pay claim is a more straightforward route for a claimant to take.

So it is good to see that the Government is no longer proposing this change. The new consultation makes it clear that instead they are looking at ways of improving discrimination law so that it has some of the advantages of an equal pay claim. The suggestion seems to be that in a race discrimination claim the Tribunal would be able to make an order varying contracts of employment to ensure ongoing equality in a similar way to the operation of an 'equality clause' in an equal pay claim. The Government also suggests that an equal pay audit covering either race or disability could be ordered if a claimant wins a discrimination claim based on their pay. Finally, the consultation proposes that race and disability claims relating to pay could rely on similar concepts to 'equal value' in making comparisons between employees doing different work.



Overall, I am not convinced that these changes would make any practical difference – but I doubt they would do much harm. On balance they strike me as face-saving measures allowing ministers to abandon their misguided plans for major reform while still telling themselves that they are improving the remedies available for victims of race or disability discrimination.

Another potentially major reform that has been watered down relates to outsourcing. Labour's 'Plan to Make Work Pay' promised to introduce measures to ensure that the outsourcing of services could no longer be used 'to avoid paying equal pay'. This is an issue of particular interest to local government. In the large-scale equal pay claims arising out of the introduction of single-status, it was those councils who still directly employed lower paid staff such as cleaners and school catering assistants that faced the largest volume of claims. If those workers had been contracted out to the private sector, then equal pay claims would not have been possible because any comparison in an equal pay claim has to be made between two workers with the same employer. This may seem like a loophole, but it is extremely difficult one to fix. How can one employer be held liable for the pay and conditions offered by another?

The Government's solution – as proposed in this consultation – is to introduce some sort of duty on employers to take reasonable steps 'to uphold pay equality in their contractual arrangements'. So, for example, a local authority contracting out its clearing services might require a contractor to ensure that their pay retained parity with council workers on the same grade. Quite what legal rights that would create if the council failed to include such a term in its outsourcing contract – or if the contractor chose to ignore it – is not entirely clear. It seems that a newly created Equal Pay Regulatory and Enforcement unit would be expected to take up the case, but the Government's proposals are not yet fully fleshed out.

Darren's Advice to Councils

The truth is that I would not expect the primary legislation needed to introduce any of these measures to be introduced before the next election. The consultation itself makes clear that the proposals form 'Phase Two' of the Government's plans for Equal Pay. 'Phase One' is focussed on fixing the current system and involves a range of measures – some of which involve technical amendments to the rules of procedure for equal pay claims and the role of independent job evaluation experts used in equal value claims. Phase One also includes measures designed to improve pay transparency – requiring employers to give indicative salary ranges when advertising vacancies and restoring the statutory equal pay questionnaire that allowed employees to ask for specific information about the pay of potential comparators.

I don't think there is much to trouble local authorities in Phase One - and Phase Two is so far off and speculative that it really isn't worth worrying about for now. What we are seeing in this consultation is how a big and bold promise made in opposition is watered down when it comes into contact with the reality of how the law works in practice. Frankly, we have enough to be getting on with dealing with the changes introduced by the Employment Rights Act - the proposals the Government is making for equal pay can safely be put on the back burner for now.



NATIONAL DEVELOPMENTS

NATIONAL PAY DEVELOPMENTS

Pay Award Agreed for NJC for local government services (Green Book) employees

On 24th August, agreement was reached on a 3.3% pay award for local government services ('Green Book') employees for 2026.

For a sixth consecutive year, Unite has refused to have its details included in the pay agreement circular. This is disappointing but does not prevent a formal collective agreement from being reached, as the necessary Constitutional requirement for a majority on each Side of the NJC to be in favour has been met, which means the pay award can now be implemented.

From the ballot results that have been collated so far, within the East Midlands Unison did not meet the 50% participation threshold in any council. Nationally, the threshold was reached in just one council (a small district/borough council). Unite didn't conduct ballots in our region and it has been reported that the threshold was met for ballots in 7 councils. Industrial action could only proceed in those authorities on any local issues.

READ MORE

Pay Award Agreed for JNC for Local Authority Chief Executives

Agreement has also been reached this week on a 3.3% pay award for JNC Chief Executives for 2026.

READ MORE

JNC for Local Authority Chief Officers

A reminder that agreement was reached on this group's 2026 pay award on 2 June.

READ MORE

Coroners' Pay

Last month we issued a Circular (dated 19th August 2026) on behalf of the Employers' Side of the former National Joint Committee for Coroners. This week we received an apology and notification that there was an error in the Circular, where the effective date within the tables (the right-hand column) should have stated 1st April **2026**, and not 2025. An updated version is available through the link below.

READ MORE

Youth & Community Workers

In May's HR Bulletin we provided information on the pay claim put forward by unions representing Youth & Community Workers. In response, the Employers have made a 3.3% pay offer which unions are consulting their members on.



CONSULTATION ON NEW DRAFT ACAS CODE OF PRACTICE ON DISCIPLINARY AND GRIEVANCE PROCEDURES

ACAS is currently consulting on revisions to its Code of Practice on Disciplinary and Grievance Procedures. The main changes in the revised Code are summarised below:

- Strengthening the role of informal resolution, with a power to adjust an award where there has been unreasonable failure(s) to attempt informal resolution. Workers submitting a formal grievance and employers when inviting workers to attend a formal disciplinary meeting, must reference the steps that have been taken to resolve the concern informally, or the reason why none have been taken. The revised Code references that informal resolution may not be appropriate in some circumstances, eg cases relating to gross misconduct allegations or complaints about serious issues.
- Instead of referring to “employees” the revised Code uses the wider category of “workers”, the intention being that it is good practice to apply the principles and steps in the Code to workers, not just employees. However, the award adjustment power will not apply to workers.
- While the statutory right to be accompanied by a colleague or trade union official will still only apply to a formal disciplinary or grievance meeting, there is now reference to it being good practice to adopt the same approach for informal meetings.
- The requirement not to unlawfully discriminate is expressly referred to, with reference to the Equality Act 2010 protections.

The consultation closes on 23rd September 2026. You can access the consultation on the ACAS website through the link below.

[READ MORE](#)

UPDATED DRAFT HOME OFFICE GUIDE FOR EMPLOYERS ON RIGHT TO WORK CHECKS & AVOIDING UNLAWFUL DISCRIMINATION FOR EMPLOYERS

The Home Office has published a draft of the revised Employer’s Guide to Right to Work Checks. The Guide sets out the steps employers must take to prevent illegal working in the UK and to establish a statutory excuse against a civil penalty liability by carrying out right to work checks.

A new draft Code of Practice for Employers: Avoiding Unlawful Discrimination has also been published. Links to both drafts are provided below. The amended guidance will come into force on 1st October.

[Draft employer's guide to right to work checks: 16 July 2026 \(accessible\) - GOV.UK](#)

[DRAFT Code of practice for employers: avoiding unlawful discrimination while preventing illegal working: October 2026 \(accessible version\) - GOV.UK](#)