

BDBF double milestone: 13 years of excellence and 30 years of expertise

This month, BDBF celebrates its 13th anniversary – thirteen years of delivering outstanding results for senior executives, partners and employers in the highest-stakes employment disputes.

BDBF has been independently top ranked by [Chambers and Partners](#) and [Legal 500](#) year after year throughout its existence. We are proud to be the only firm in its category with all six of our partners individually ranked as employment law experts for Employment: Senior Executives. We were also featured as one of The Times Best Law Firms 2026 for employment law, as endorsed by our peers and have been shortlisted by the International Employment Lawyer as Senior Executive Team of the Year 2026.

Over the past 13 years, BDBF has secured precedent-setting judgments, negotiated life-changing exits and protected reputations in the most complex and sensitive cases. We treat every client as if their career depends on it, because it does. We know that clients come to us in a time of acute need, and it is a privilege to be able to help them.

Whilst we still settle the vast majority of the cases we deal with discreetly and elegantly, we do have a market leading track record in litigation. For example, recently, BDBF represented Sebastian Lapinski in a high-stakes disability discrimination claim against Triton Investment Advisers LLP and Swedish respondents. Overcoming jurisdictional disputes, BDBF secured a Tribunal victory and EAT appeal dismissal, reinforcing employee rights under the Equality Act 2010 and Brussels Regulation. BDBF also successfully represented Rob

Gagliardi in the first employment anti-suit injunction obtained under the new jurisdictional regime that applies post-Brexit. This injunction halted his former employer, Evolution, from pursuing claims against him in New York, setting a precedent in employment law. In a recent high-profile case against Facebook, BDBF's client alleged that Facebook inflated advertising product performance metrics, misleading customers and investors, and attempted to conceal this by integrating the flawed metric into its standard products. After receiving a poor appraisal, they were terminated, prompting them to seek interim relief in the Employment Tribunal. The case garnered widespread attention, including coverage in the Financial Times. You can read more about BDBF's client successes [here](#).

As of today, BDBF has 23 employment lawyers in our team (comprising six partners in addition to 17 other lawyers) supported by our eight-strong practice team that is wholly dedicated to client service.

BDBF has recently bolstered its team with the promotion of senior associates [Blair Wassman](#) and [Theo Nicou](#) to managing associates, and associate [Connie Berry](#) to senior associate. We further strengthened our leadership by promoting [Samantha Prosser](#) to partner level in spring 2025, bringing fresh perspectives to our dynamic practice. We were delighted to welcome the return of managing associate [Jamie Barton](#), and to welcome [Rose Lim](#) as our new Knowledge Lawyer and senior associate [Leigh Janes](#).

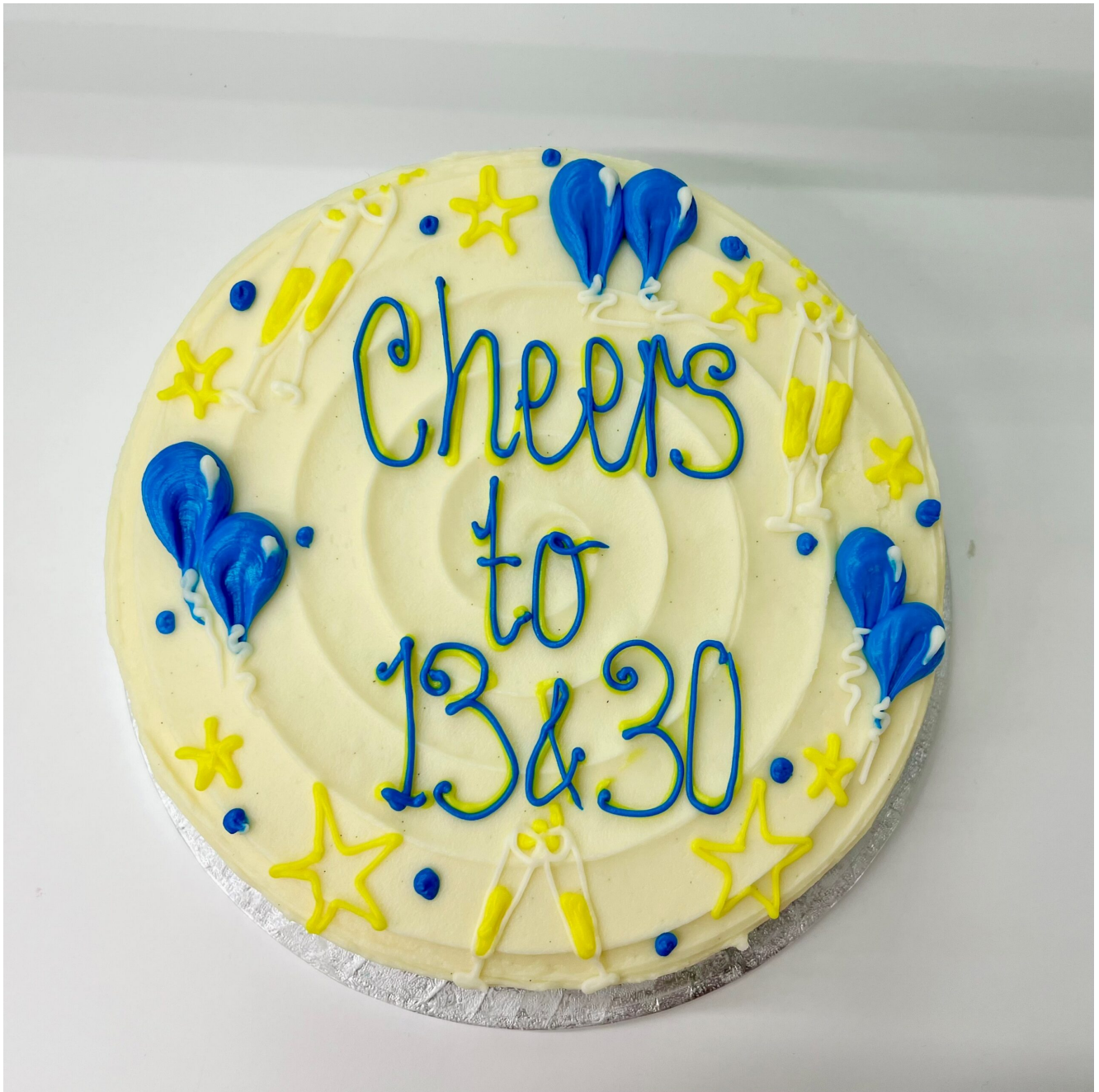
Adding a special layer to this year's celebration, BDBF's Managing Partner, [Gareth Brahams](#), marks 30 years post-qualification experience (PQE) this month. Gareth's unparalleled expertise and visionary leadership have been instrumental in shaping BDBF from its inception, guiding us through complex disputes and fostering a culture of excellence. On reaching this milestone, Gareth comments that *"the great privilege of being a solicitor is that you come*

into people's lives at the critical moments, whether it is because they are starting or selling their business, buying a house, have suffered a catastrophic personal injury, been accused of a crime, getting divorced or, yes, in my case, helping people whom after a stellar career have often hit the first bump in the road in their work lives. These amazingly successful and talented people have turned to us for help, and it is a privilege to help them. If we ever forget that, and ever do anything less than our best for them, then we pull the thread that pulls the whole thing apart."

As BDBF steps into its 14th year, our founding goal endures – delivering outstanding outcomes for clients with brilliance, integrity and openness.

A heartfelt thanks to our colleagues, peers and above all, our clients, for the trust you place in us every day.

Here's to the next chapter.



**Maximum ACAS Early
Conciliation period to double**

from six to twelve weeks from 1 December 2025

From 1 December 2025, the maximum period for ACAS Early Conciliation will increase from six to twelve weeks. The Government's stated aim is to ease the growing pressure on ACAS and allow parties greater scope to resolve workplace disputes before they reach the Employment Tribunal.

What is ACAS Early Conciliation?

Before most claims can be brought in the Employment Tribunal, prospective claimants must first notify ACAS (the Advisory, Conciliation and Arbitration Service). ACAS acts as an independent conciliator, helping parties explore whether their dispute can be settled without the need for litigation.

The process begins when the claimant (or respondent) submits an early conciliation form online or provides details by telephone. ACAS will then allocate a conciliator who contacts the claimant or their representative to discuss the issues in dispute and the potential for settlement. If both sides agree, ACAS will facilitate discussions aimed at resolving the dispute. ACAS will issue a certificate at the end of the conciliation period (or before if settlement is not possible) which enables the claimant to proceed with an Employment Tribunal claim.

At present, the conciliation process can last for up to six weeks, though it can (and often does) end earlier if either

party wishes. Importantly, this conciliation period “stops the clock” on the usual limitation deadline for bringing a claim (but only where the claimant has instigated the process). While the calculation of the new limitation date can be complex, claimants will always have at least one month from the date of the certificate to present their claim.

What is changing and why?

On 3 November 2025, new regulations were unexpectedly introduced to extend the maximum early conciliation period to twelve weeks. The regulations are due to come into force on 1 December 2025.

According to the accompanying Explanatory Memorandum, the policy objective is to reduce strain on ACAS and allow parties to make fuller use of the opportunity to settle disputes. The Government has cited rising demand and increasing case complexity as the key drivers of this change. With the Employment Rights Bill expected to introduce a wave of new employment rights, demand is likely to rise further.

The regulations have been laid before Parliament and are expected to come into force automatically on 1 December 2025 (unless rejected, which is unlikely). Where early conciliation is started before this date the current six-week conciliation period will apply. The regulations make no other changes to the ACAS early conciliation process, so it remains the case that either party may end the process at any time.

Potential implications for employers and claimants

Although this appears to be a straightforward procedural change, it could have a number of practical effects:

- **Greater scope for settlement:** A twelve-week window may make it easier to resolve complex disputes that would otherwise proceed to litigation. This could, in turn, help reduce the existing backlog of Employment Tribunal claims.
- **Reduced pressure on ACAS:** The longer period should give ACAS more time to allocate conciliators and manage workloads, albeit that some complex cases may occupy conciliators for twelve rather than six weeks.
- **Shift in negotiating dynamics:** Claimants may gain leverage in settlement discussions since the longer window prolongs the uncertainty for employers, leaving them with litigation hanging over their heads for longer periods of time.
- **Impact on limitation periods:** Where the full twelve weeks are used, the limitation period for issuing a

claim could be extended considerably. Given that it can already take a year or more to reach a final hearing, this extension could make managing evidence and witnesses more challenging for employers.

Next steps

The Government has confirmed it will review the change in October 2026 to determine whether the twelve-week period should remain in place.

[The Employment Tribunals \(Early Conciliation: Exemptions and Rules of Procedure\) \(Amendment\) Regulations 2025](#)

BDBF is a leading employment law firm based at Bank in the City of London. If you would like to discuss any issues relating to the content of this article, please contact Amanda Steadman (AmandaSteadman@bdbf.co.uk) or your usual BDBF contact.

**Innocent decision-makers
cannot be personally liable**

for the detriment of dismissing a whistleblower

In *Henderson v GCRM Ltd & Ors*, the Employment Appeal Tribunal has considered whether it is possible to hold an “innocent” decision-maker liable for the detriment of dismissing a whistleblower, in circumstances where another individual has manipulated or tainted the process motivated by the whistleblower’s actions.

Background

Under the Employment Rights Act 1996 (**ERA**), whistleblowers are protected in the following key ways:

- It is automatically unfair to dismiss them if the reason or principal reason is that they made a protected disclosure (Section 103A).
- It is unlawful for their employer to subject them to any detriment through any act (or deliberate failure to act) on the ground that they made a protected disclosure (Section 47B(1)). This claim is not available against the employer where the detriment is dismissal, as the remedy is an automatic unfair dismissal complaint under

Section 103A (Section 47B(2)). Nevertheless, the employee may have a claim for detriment for any other actions taken by their employer leading up to the dismissal.

- It is unlawful for any co-worker or agent to subject them, in the course of that co-worker's employment (or agency), to any detriment through any act (or deliberate failure to act) on the ground that they made a protected disclosure (Section 47B(1A)). Under *Timis v Osipov* [2018] EWCA Civ 2321, this claim is available against an individual even where the detriment is dismissal, and the employer can become vicariously liable for the actions of that individual. The employer may have a defence if they took all reasonable steps to prevent the co-worker's actions. For further information, please see our briefing on *Osipov* [here](#).

Under the previous case of *Royal Mail Ltd v Jhuti*, the Supreme Court found that a protected disclosure can still be the principal reason for an employee's dismissal even if the disclosure was hidden from the dismissing officer, and therefore a claim under Section 103A can succeed on that basis. Unlike in earlier cases where only the motivations of the decision-maker were said to be relevant, the Supreme Court in *Jhuti* confirmed that if the decision-maker is given false reasons to dismiss by someone who is themselves motivated by the fact that the employee has blown the whistle, the Tribunal can look past those false reasons to establish the underlying

motivation. In effect, if the underlying motivation to dismiss the employee is the protected disclosure, employers cannot evade liability by hiding that fact from a good faith disciplinary decision-maker.

For further information on the *Jhuti* case, please see our prior briefing [here](#).

What happened in this case?

Ms Henderson was employed as an embryologist by GCRM Limited, a regulated clinic based in Glasgow providing fertility services and care, following a transfer under TUPE from Nuffield Hospital in Glasgow in September 2018.

Following the transfer, in March 2019 Ms Henderson began to raise concerns on several occasions regarding issues impacting the standard of patient care at GCRM. In particular, she was concerned regarding the low levels of available staff and inadequacy of training, which she felt was leading to excessive pressure for both nurses and the laboratory staff. Ms Henderson considered that patients were experiencing poor success rates and that there was a likelihood of errors and reportable incidents, and that patients were being misled about the standard of service. She continued to express concerns into August 2021 and raised a grievance in September 2021 on the basis that she felt singled out and unfairly treated. The grievance was not upheld, and an appeal submitted by Ms Henderson was not heard.

In October 2021, Ms Henderson was informed of disciplinary allegations relating to a reportable regulatory incident and

an alleged failure to follow reasonable management requests. She was told that such concerns could amount to *“serious negligence/gross misconduct and/or lead to a loss of trust and confidence in your ability to perform your role”* and was suspended from her role.

The original disciplinary manager was set to be Mr Tomnay, who was Ms Henderson’s line manager and who was therefore aware of her complaints. It was later changed to Ms Tracey, the Managing Director – UK, who had recently joined the group by the time of the disciplinary hearing in January 2022 and was employed by a separate entity. Ms Henderson was ultimately dismissed by Ms Tracey in February 2022 for *“numerous and collective examples of poor performance and leadership in fulfilling the duties of [her] role”*, and received payment in lieu of notice. An appeal against the decision was unsuccessful.

Ms Henderson pursued a claim of: (i) automatic unfair dismissal against GCRM; and (ii) for the detriment of dismissal against GCRM and each of Mr Tomnay and Ms Tracey individually.

Employment Tribunal’s decision

In the [first instance decision](#), the Employment Tribunal determined that the disclosures made by Ms Henderson relating to staffing levels were protected under Sections 43A and 43B ERA, as she had genuinely believed that they tended to show breaches of legal obligation that were in the public interest (and that belief was objectively reasonable).

The Tribunal concluded that Mr Tomnay and the HR representative, Ms Young, had been motivated to initiate and conduct a disciplinary investigation against Ms Henderson because of her protected disclosures. Further, they found that Ms Tracey was extensively informed and guided in the disciplinary process by Mr Tomnay and Ms Young; the decision to instigate disciplinary proceedings had been Mr Tomnay's, and the process had only been handed over to Ms Tracey as he was no longer available to manage it. Ms Tracey admitted having little to no knowledge of the disciplinary allegations, which had been decided by Mr Tomnay and the HR representative, admitted that she had relied on them for shaping the process and providing information, and confirmed that she had spoken to Mr Tomnay during adjournment of the disciplinary hearing.

Having made the above findings of fact, the Tribunal's judgment was that:

- Under *Jhuti*, Ms Tracey could be 'imputed' with the knowledge of Mr Tomnay and Ms Young, as they had influenced her to a significant degree. The protected disclosures had therefore had a material influence on Ms Henderson's dismissal, and the claim against Ms Tracey for detriment based on Ms Henderson's dismissal therefore succeeded (Section 47B(1A)). As she was an agent of GCRM, GCRM were also liable for her actions (Section 47B(1B)).

- It was not possible to claim directly against GCRM for detriment based on protected disclosures where the detriment alleged was dismissal.

- Whilst the protected disclosures had been a material influence, they had not been the sole or principal reason for the dismissal and therefore the dismissal was not automatically unfair under Section 103A. It was nevertheless unfair under ordinary unfair dismissal principles, as there had been significant procedural failings and substantive issues with the findings and sanction.

- Mr Tomnay did not subject Ms Henderson to the detriment of dismissal, as he had only had an indirect influence, therefore the claim against him could not succeed.

EAT's decision

Both Ms Henderson and GCRM appealed against the Tribunal's findings.

Ms Henderson's Appeal

Ms Henderson alleged that the Tribunal had failed to properly consider the reason for the dismissal for her automatic unfair dismissal claim (Section 103A).

The EAT agreed with this, and confirmed that once *Jhuti* had been raised by Ms Henderson, the Tribunal should have made clear findings about whether or not Mr Tomnay had improperly manipulated Ms Tracey or created a false pretext which he induced Ms Tracey to adopt. If it was found that he did manipulate or intervene in the process, the Tribunal should then have considered what part that ultimately played in Ms Tracey's decision to dismiss. Ms Henderson's automatic unfair dismissal claim was therefore remitted to the same Tribunal to consider those questions, as it was not an inevitable conclusion that the dismissal would have been automatically unfair.

Ms Henderson also attempted to argue that Mr Tomnay could be held responsible for her dismissal as a result of his involvement, on the basis that the term "dismissed" should include actions causing or contributing to dismissal. The EAT did not agree with this, as this would blur the line between pre-dismissal detriment and the detriment of dismissal itself. No pre-dismissal detriment by Mr Tomnay had been alleged, and he had not dismissed Ms Henderson, therefore the complaint could not succeed.

GCRM's Appeal

GCRM argued that the Tribunal had erred in concluding that *Osipov* and *Jhuti* meant that Ms Tracey, an "innocent" dismissing manager, could be found personally liable under Section 47B(1A) and therefore make the employer also liable

under Section 47B(1B).

The EAT agreed with this, noting that *Jhuti* had only been concerned with an employer's liability for automatic unfair dismissal under Section 103A and the state of mind that can be attributed to the **employer**. The EAT considered that there was no reason to extend this analysis of a "composite approach" to liability to personal liability under Section 47B(1A), in particular because it could not have been the intention of Parliament to impose unlimited liability on **individuals** who have not been personally motivated by the making of protected disclosures. Both *Jhuti* and *Osipov* had taken a purposive approach to legislation in order to provide the claimant with an effective remedy, but without liability being imposed on an innocent party.

The EAT therefore set aside the judgment against Ms Tracey for detriment consequently the judgment against GCRM for detriment.

What does this mean for employers?

The judgment in *Henderson* has offered some helpful clarification as to the circumstances in which decision-makers can be imputed with the knowledge or motivations of others in the context of whistleblowing. In particular:

- For an automatic unfair dismissal claim under Section 103A, it is possible for the Tribunal to look at whether

or not the decision-maker may have been manipulated or influenced in a way that means that, even if they were not personally aware of the protected disclosures, it was still the sole or principal reason for dismissal.

- For detriment claims against individuals under Section 47B(1A) (and consequent liability for employers under Section 47B(1B)), the Tribunal should not impute knowledge to otherwise 'innocent' decision-makers in a way that makes them personally liable (and their employer vicariously liable) for whistleblowing detriment.

[Henderson v GCRM Ltd & Ors \[2025\] EAT 13](#)

BDBF is a leading employment law firm based at Bank in the City of London. If you would like to discuss any issues relating to the content of this article, please contact Rose Lim (RoseLim@bdbf.co.uk) or your usual BDBF contact.

Not on the clock but still on

the hook? EAT considers employer's liability for sexual harassment.

The EAT's recent decision in *AB v Grafters Group Ltd* reminds HR teams that employer responsibility for harassment may extend beyond the workplace.

What happened in this case?

The Claimant worked for a hospitality recruitment agency. On 1 November 2021, the Claimant mistakenly believed that she was due to work at an event taking place at Hereford Racecourse. She arrived late to her employer's office and thought she had missed the transport to Hereford. A colleague who had just finished work (CD) offered to give her a lift. She agreed.

CD had previously sent sexually suggestive messages to the Claimant, including in the early hours of 1 November 2021 when he was at work. During the journey, the Claimant learnt that she was not, in fact, required to work that day and she asked CD to take her home. However, CD drove her to a golf course, where he subjected her to sexual harassment.

The Claimant claimed that her employer was vicariously liable for the sexual harassment. The Employment Tribunal found that CD *had* sexually harassed the Claimant. However, it held that the employer was not vicariously liable because CD was not acting "in the course of his employment" at the time of the incident. The Tribunal determined that CD was not working at

the time, the incident did not occur in the workplace, nor was the transport arrangement part of his work duties or otherwise approved by the employer. It also concluded that CD's motive in offering the lift was not linked to his employment.

The Claimant appealed to the EAT.

What was decided?

The appeal focused on whether CD's actions were "in the course of employment". The EAT found that the Tribunal was entitled to conclude that the harassment occurred outside of CD's working hours and not while he was performing his work duties. However, it had failed to consider whether a sufficient nexus or connection with work was present, such that the lift and subsequent conduct could be deemed an extension of his employment. The EAT held that this step was required by case law, and the Tribunal had failed to carry out the necessary "second question" analysis.

The EAT also considered whether the Tribunal had failed to consider three *relevant* factors, namely:

- the sexual messages that CD had been sent during his working hours;

- whether the harassment in the car was part of a continuous course of conduct starting when CD was at work; and

- the connection between CD's job, previous arrangements for lifts between colleagues, and the reason why the Claimant was in his car.

The EAT concluded that the Tribunal's failure to address these factors made its legal reasoning incomplete, because they were all directly relevant to the analysis of whether a sufficient nexus or connection with work existed.

The EAT also considered whether the Tribunal had given weight to two *irrelevant* factors, namely:

- CD's "motive" for giving the lift, asking if it was because of a requirement linked to his employment; and

- whether the employer had knowledge of, or sanctioned, CD giving a lift to the Claimant.

The EAT considered that CD's motive in offering the lift was immaterial to whether the acts were "in the course of employment." However, the question of whether the employer knew or approved of the general arrangement could be relevant to the analysis of whether an act was in the course of employment.

The appeal was upheld, and the case was remitted to the same Tribunal for reconsideration.

What does this mean for employers?

Employers may be held liable for harassment committed by workers in the course of their employment. However, as previous caselaw has made clear, the meaning of "in the course of employment" is wider than just those actions occurring during working hours in the workplace. It is possible that conduct off the premises and out of normal working hours may be considered an "extension of employment", for example, at a colleague's leaving party, or during work-related travel. However, in all cases the decision is for the Tribunal to reach on the particular facts. This decision reminds us of this nuanced approach needed, although it remains to be seen whether the harassment which took place in this case will meet the threshold.

The decision also underlines the need for employers to give careful consideration to the reasonable steps it can take to prevent sexual harassment. If the actions are held to be within the course of employment, the employer may still avoid liability if it can show that it took *all* reasonable steps to

prevent sexual harassment occurring. This will include things like having an appropriate policy in place and providing training to staff. In this case, it could potentially include steps like empowering staff to call a taxi at the employer's expense to reach the workplace or return home where they have missed the arranged transport and feel vulnerable.

The taking of reasonable steps is also necessary to discharge the statutory duty on employers to prevent sexual harassment at work. At present, the duty requires employers to take some, but not all, reasonable steps. From October 2026, the duty will be upgraded to require all reasonable steps to be taken (aligning it with the reasonable steps defence). A failure to discharge the duty gives rise to an uplift to compensation in relevant claims of up to 25% and could provoke an investigation by the Equality and Human Rights Commission.

[AB v Grafters Group Ltd t/a CSI Catering Services International](#)

BDBF is a leading employment law firm based at Bank in the City of London. If you would like to discuss any issues relating to the content of this article, please contact Amanda Steadman (AmandaSteadman@bdbf.co.uk) or your usual BDBF contact.

Pre-prepared disciplinary scripts and evidential disputes: when will a dismissal no longer be fair?

In Alom v Financial Conduct Authority, the Employment Appeal Tribunal considered the extent to which a script prepared by HR can demonstrate a pre-judged disciplinary outcome, and the level of evidence which must be provided to an employee in a fair process. In addition, the EAT considered the circumstances in which delays in issuing a Tribunal judgment and errors within that judgment can be grounds to overturn a decision.

What happened in this case?

Mr Alom was employed by the Financial Conduct Authority (FCA) and was dismissed in relation to his conduct towards his colleague, Ms Shaukat. Mr Alom and Ms Shaukat had formerly maintained a friendship, however following an altercation in January 2020 at work, Ms Shaukat accused Mr Alom of stalking her. Later that day, Ms Shaukat received an anonymous email which contained, among other matters, specific comments regarding her having made allegations of stalking against the sender and about a course that she had recently commenced (on which Mr Alom had previously congratulated her). Ms Shaukat raised the matter with HR, as well as other concerns regarding Mr Alom's conduct towards her, and Mr Alom also made a complaint about Ms Shaukat. Upon receiving the results of the investigation into his complaint against her, Mr Alom emailed Ms Shaukat's manager referencing the recommendations made.

Following a disciplinary investigation, it was determined that Mr Alom was likely to have been the sender of the anonymous email (which he denied) and that the email sent to Ms Shaukat's manager had been a breach of confidentiality. As a result, Mr Alom was dismissed for gross misconduct, and this outcome was upheld on appeal.

Mr Alom brought a number of claims in the Employment Tribunal against Ms Shaukat and the FCA, however following several applications and rounds of case management, Ms Shaukat was removed as a respondent and the claims were narrowed to direct sex discrimination, direct race discrimination, harassment based on race and/or sex, victimisation and unfair dismissal.

Under a [reserved judgment](#) issued on 16 February 2024, the Tribunal concluded that none of Mr Alom's claims should succeed. In summary, it determined that none of the FCA's actions had been motivated by Mr Alom's race or his sex, and the dismissal had been for the potentially fair reason of conduct, was within the range of reasonable responses and had followed a fair procedure.

What was decided?

Mr Alom appealed to the Employment Appeal Tribunal on several grounds, each of which was addressed by the EAT as follows:

- Mr Alom asserted that the Tribunal's judgment had erred in relation to whether or not a witness had flown back to the UK to give evidence. The EAT did not agree that this was an error, and considered it clear from the judgment that the witness had planned to fly to the UK but, following the withdrawal by Mr Alom of all but one of the claims which concerned her conduct, it had been recorded by the Tribunal that she would no longer do so. The consequences of her not attending (with regard to cross-examination) had been explained to Mr Alom and he had withdrawn the only remaining complaint against her. This ground of appeal therefore failed.

- Mr Alom alleged that the Tribunal had erred in making a factual finding that he had been notified by the FCA of the intention to search his computer, and as a result his case that the search had been an infringement of his Article 8 rights (the right to respect for private and family life) rendering the dismissal unfair had been impacted. The EAT noted that it could not consider the Article 8 infringement as a standalone issue but only with relevance to the fairness of the dismissal. They determined that the decision to dismiss had not relied on the report which was produced from the computer search, and noted that Mr Alom had actually sought to rely on the report as evidence in support of his case. Even if the search had been a disproportionate interference in Mr Alom's rights, there was therefore no proper basis to conclude that this made the dismissal unfair. As a result, this ground of appeal also failed.

- Mr Alom asserted that the delay in issuing judgment until February 2024 (following the hearing in May 2023) had led to a real risk that he did not receive a fair trial. He believed that this was compounded by factual inaccuracies in the judgment, including those noted above and a discrepancy as to whether a witness had attended via video link. The EAT acknowledged that the delay had been unacceptably long, but noted that this had been expressly explained in the judgment and that the Tribunal had convened the day after the hearing to deliberate and reach a decision when it was fresh in their minds. The inaccuracies were insubstantial in what was otherwise what they deemed a "*meticulous, thorough, and closely-reasoned decision*". This ground of appeal therefore also failed.

- Mr Alom stated that he had not been provided with transcripts of the interviews conducted with Ms Shaukat, which he believed made his dismissal unfair as he did not know the case he was required to answer (with reference to the ACAS Code of Practice on Disciplinary and Grievance Procedures). The EAT concluded that he had still been provided with sufficient information to respond to the charges, which had stemmed solely from the two emails rather than any witness evidence from Ms Shaukat. Whilst it would have been best practice for the Tribunal to address the submission made by Mr Alom that this had made his dismissal unfair, the fact that they had failed to do so did not affect the result given the narrow nature of the disciplinary charges. This ground of appeal therefore also failed.

- Mr Alom claimed that the script prepared by HR for the disciplinary meeting echoed the conclusions drawn by the disciplinary decision-maker, and that this showed the outcome having been pre-judged and therefore unfair. In particular, Mr Alom took issue with the assertion in the script that the anonymous email had been *“one of the most unpleasant emails I’ve read,”* and considered that the guidance from HR had gone beyond the permitted remit of law and procedure. The EAT considered that the Tribunal, having heard evidence from the disciplinary decision-maker, had been satisfied that he had come to his own view and had done so only after hearing from Mr Alom. This ground of appeal therefore also did not succeed.

The appeal was therefore dismissed by the EAT. A representative for Mr Alom has [reportedly confirmed](#) that he intends to appeal this outcome further.

What does this mean for employers?

For employers, the most pertinent takeaway from the *Alom* case is likely to be the commentary made by the EAT regarding the level of input from HR into the disciplinary script.

Whilst they did not uphold the ground of appeal, the EAT made some notable observations that they could *“see the force in the submission that the framing of these particular parts of the script was inappropriate, because they suggested what view Mr McLean should put forward”*. This appeared to be

particularly relevant to the part of the script that referred to the speaker having read the anonymous email, considered that it was *“one of the most unpleasant emails”* they had read, that they concurred with the investigation report’s findings that *“its tone and language are aggressive and threatening and create an intimidating and hostile environment, that is clearly unwanted”*, and that his response to an email querying his involvement had been *“evasive”*.

This is a helpful reminder of the dangers in relying on prepared scripts for disciplinary matters, and emphasises the need for scripted questions to remain open, impartial and not tailored towards any particular response or outcome. The disciplinary decision-maker must be confident both that they have heard the employee’s input before arriving at a decision, and that the decision reflects their own personal judgment on the matter. The input from HR teams (or indeed from internal or external counsel) should be limited to matters of law and procedure, and employers should be mindful that communications between HR and the disciplinary manager may not always be covered by legal advice or litigation privilege.

In addition, employers should take note of the issue raised in this case regarding the consent obtained to search Mr Alom’s computer. As the EAT had determined that any breach of Article 8 rights was not pertinent to the fairness of the dismissal, it was not necessary to make a factual finding in relation to whether the search had been permitted or wrongful in any sense. However, counsel for Mr Alom alleged that the FCA’s policy highlighting the possibility of such searches was insufficient to justify this particular exercise, and counsel for the FCA only relied upon the existence of this policy as part of a broader picture of why the search was proportionate (rather than being decisive). Employers should therefore bear in mind that a policy permitting monitoring of company

property may not, of itself, mean that all surveillance of an employee's activity is automatically permissible.

Finally, it is worth noting the EAT's approach to the evidence that should be provided to employees ahead of a disciplinary meeting. In particular, they focused on the fact that both the decision-maker and Mr Alom had been provided with the same evidence, and that the evidence which Mr Alom claimed had been withheld from him had not led to either of the disciplinary charges. This is a useful reminder for employers that if the decision to dismiss relies on documents which were not provided to the employee, this could have a considerable impact on whether a fair procedure has been followed.

[Alom v Financial Conduct Authority \[2025\] EAT 138](#)

BDBF is a leading employment law firm based at Bank in the City of London. If you would like to discuss any issues relating to the content of this article, please contact Rose Lim (RoseLim@bdbf.co.uk) or your usual BDBF contact.

Competing for talent: do your HR practices risk breaching competition law?

In September, the Competition and Markets Authority (the CMA) published guidance for employers on how competition law

impacts staff recruitment and the setting of pay and other working conditions. In this briefing, we digest the key messages and outline the “dos” and don’ts” for employers.

Does competition law apply in the workplace and what are the consequences of getting it wrong?

The Competition Act 1988 is the main piece of law governing competition in the UK. It prohibits anti-competitive arrangements between businesses, covering formal or informal agreements and practices such as information sharing. In the workplace context, where organisations collude on matters such as hiring workers or setting pay or benefits this can have harmful consequences for workers, for example, by reducing their job mobility and/or reducing their ability to negotiate pay. It may also limit a business’s ability to grow.

The consequences of breaching competition law in the workplace are severe:

- Businesses that break competition law can be fined up to 10% of their annual worldwide turnover and prevented from bidding for public contracts. They may also be exposed to civil claims for damages.

- Individuals can be prosecuted and sentenced to up to five years in prison and/or a fine. If the individual

is also a director of the company, they may also be disqualified from being a director for up to 15 years.

What are “anti-competitive practices” in the labour market?

The guidance states that there are three main forms of anti-competitive behaviour within the labour market (all of which amount to “business cartels”): non-poaching, wage-fixing and sharing “competitively sensitive” information.

Non-poaching

Non-poaching covers agreements, understandings or practices whereby two or more employers agree not to poach or hire the other’s staff. This covers agreements not to hire or solicit staff, or not to do so without the other business’s consent. Importantly, the guidance highlights that such arrangements do not necessarily have to be mutual to be anti-competitive.

The guidance is careful to draw the distinction between unlawful non-poaching agreements and lawful non-solicitation of employees clauses of the kind seen in secondment or consultancy agreements or other types of commercial agreement. Such non-solicitation provisions might not break competition law if they are necessary to enable the agreement to be carried out and are otherwise proportionate.

Wage-fixing

Wage-fixing is when businesses competing for the same type of worker agree to fix pay and/or benefits and/or other terms and conditions of employment.

This could capture informal agreements between employers to cap pay or pay increases for the year. It might also capture a trade body's circulation of a list of "recommended pay rates" for roles within their particular sector.

Sharing "competitively sensitive" information

Information exchange and benchmarking are common and often beneficial business practices. Such practices can help firms enhance efficiency and improve HR management through insights into market standards. However, when competitively sensitive information is exchanged between actual or potential competitors in the labour market this *may* breach competition law.

Information exchange becomes problematic when it is "competitively sensitive". This means information which reduces market uncertainty, or influences competitors' strategic decisions on pay, benefits, or hiring practices. The guidance says the following "high level principles" provide a steer on when information exchange is likely to raise competition law concerns:

- *Public vs confidential*: Publicly available data is rarely sensitive, whereas sharing confidential or

restricted information is more likely to raise concerns.

- *Aggregated vs individualised:* Anonymised, aggregated data that cannot be linked to a specific business strategy is generally permissible. In contrast, the more easily information can be attributed to a particular business the more competitively sensitive that information is likely to be.

- *Past vs current and future:* Historic data will usually be less competitively sensitive than current or forward-looking information.

Even unilateral disclosures of competitively sensitive information can breach competition law (i.e. where information only flows one way). And it will be presumed that recipients of information have acted on the information *unless* they have clearly distanced themselves or reported the matter to the CMA. In March 2025, the CMA fined four companies more than £4 million for unlawfully exchanging pay information in the sports broadcasting sector. The businesses coordinated freelance pay rates to avoid a bidding competition. However, a fifth company involved in the information exchange obtained immunity from a fine by reporting the matter to the CMA.

The guidance goes on to give some examples of risky and less risky information-sharing activities:

Risky	Less risky
<ul style="list-style-type: none"> • Sharing current pay rates with competitors. • Bilateral or unilateral disclosure of future pay intentions between competing employers. • Multilateral exchange (directly or through third parties) that provide insight into competitors' pay structures. • Informal or social conversations where competitively sensitive information is disclosed. 	<ul style="list-style-type: none"> • Benchmarking via independent third parties using anonymised and aggregated data. • Relying on publicly available sources, such as ONS data or job advertisements. • Industry discussions limited to non-sensitive HR topics, such as workforce development or education partnerships.

Are collective bargaining negotiations between workers and employers covered?

Collective bargaining is a process through which employers and workers (usually represented by trade unions) negotiate terms such as pay, benefits and working conditions. Successful negotiations typically result in a collective agreement setting out agreed terms and obligations for both sides.

While competition law can, in principle, apply to such discussions and agreements, the CMA guidance confirms that it will **not** seek to enforce competition law where workers and employers reach a genuine collective agreement.

The CMA also recognises that coordination between different employers may be a legitimate and necessary part of preparing for the collective bargaining process. Nevertheless, employers must not exchange competitively sensitive information with each other unless strictly necessary. Further, any coordination among employers *outside* the collective bargaining process may still be unlawful.

What does this mean for employers?

There are some important “dos” and “don’ts” for employers to stay on the right side of the line:

- Do make sure that HR and line managers involved in recruitment and/or setting pay and benefits understand how competition law affects those areas.

- Don’t agree with other businesses not to approach or hire each other’s employees – and remember this covers informal agreements or practices as well.

- Don’t agree with other businesses to align salary, benefits or salary increases.

- Do treat all non-public pay, benefits, and recruitment data as competitively sensitive.

- Don't share or discuss competitively sensitive information about your business or employees with competing employers, either directly or through a third party.

- Do ensure solid internal reporting processes are in place, and that staff are aware of these and how they can use them.

- Do seek legal advice before sharing pay or employment information with competitors or where a competitor or industry contact discloses such information to you.

[Competing for talent – CMA guidance \(9 September 2025\)](#)

BDBF is a leading employment law firm based at Bank in the City of London. If you would like to discuss any issues relating to the content of this article, please contact Amanda

Steadman (AmandaSteadman@bdbf.co.uk) or your usual BDBF contact.

BDBF strengthens client services with new associate hire

BDBF, a leading employment law firm, welcomes [Leigh Janes](#) as its newest senior associate.

Leigh's expertise in advising both employees and employers on all aspects of employment law across a wide range of industries and sectors, will bring innovative perspectives to BDBF. Her addition increases the firm's team to six partners, 17 associates, and an eight-member practice team.

The firm's ability to attract top talent like Leigh underscores its reputation for high-quality client service, a strong litigation record, engaging work, and a collaborative culture. BDBF has been consistently top-ranked by leading independent directories for representing senior executives for 12 years and is expanding its practice supporting employers on high-stakes employment matters.

[Gareth Brahams](#), Managing Partner said, "Leigh's experience in handling discrimination, harassment and whistleblowing cases matches perfectly with the kinds of issues that our clients seek our advice on. We're excited to have her join our team."

Leigh Janes said, "I'm thrilled to be joining BDBF and look forward to working with lawyers at the top of their field."



BDBF top ranked by Chambers UK 2026

For the 12th consecutive year, BDBF has been ranked Band 1 in Employment: Senior Executive by [Chambers UK](#) in their 2026 Guide. Five BDBF partners are individually ranked for their employment law expertise, including three ranked in the Band 1 category. Additionally, BDBF has been newly ranked in the Partnership category, further demonstrating our expertise and leadership in this area.

BDBF is a leading specialist employment law firm based in the City of London. The firm have fought and won some of the highest value employment disputes of recent years against a range of 'magic circle' opponents. Their creative thinking has resulted in ground-breaking litigation outcomes in areas such as whistleblowing and discrimination law.

Recently the firm have acted for Tony Danker, the former boss of the CBI, who settled his legal action for wrongful dismissal with the business group for an undisclosed sum, after he was sacked with immediate effect in 2023 after complaints about his behaviour. They also successfully represented Rob Gagliardi in the first employment anti-suit injunction obtained under the new jurisdictional regime that applies post-Brexit. This injunction halted his former employer, Evolution, from pursuing claims against him in New York, setting a precedent in employment law. The firm represented Sebastian Lapinski in a high-stakes disability discrimination claim against Triton Investment Advisers LLP and Swedish respondents. Overcoming jurisdictional disputes, BDBF secured a Tribunal victory and EAT appeal dismissal, reinforcing employee rights under the Equality Act 2010 and Brussels Regulation. The entire team is reputed for its high quality legal advice.

Our team continues to deliver unmatched expertise and results for senior executives. Chambers says: *"The people at BDBF are incredibly focused, knowledgeable and sharp."*

Employment lawyers recognised in our team and their rankings are:

[Gareth Brahams – Band 1](#)

A true titan in employment law, Gareth continues to lead with brilliance.

"Gareth delivered outstanding client service in all respects."

"He is very smart, very effective and an excellent litigator."

"Gareth Brahams is very commercial and tactically astute."

Claire Dawson – Band 1

Claire's razor-sharp expertise and client-first approach make her a standout star.

"Claire Dawson is really excellent and really good at handling clients."

"She is extremely client-centric."

"She provides good advice and is sharp, switched on and balanced."

Paula Chan – Band 1

Paula's powerhouse performance keeps her at the top of her game.

"Her experience was very evident. I always felt well represented and appreciated her pragmatism. She was always very easy to get hold of and I always felt well informed of progress."

"Paula was always very professional, knowledgeable and sharp."

"Paula is extremely good."

Nick Wilcox – Band 3

Nick's dedication and insight continue to impress clients and peers alike.

"Nick is a very safe pair of hands, is super responsive and is never flustered."

"I trust his judgement and am very lucky and very grateful to have had him fight my corner."

"He is well-placed to advise any individual or business in their moment of pain."

Clare Brereton – Band 5

Clare is a rising star, making waves with her dynamic approach.

"Clare is fantastic. She is sharp, commercially aware and very personable, especially when dealing with sensitive and difficult matters."

"Clare Brereton is an excellent new partner with lots of experience and a willingness to push the envelope for clients."

"Clare is brilliant."

Thank you to our clients, referrers and employment law colleagues for the incredible feedback.

If you would like to discuss your employment law needs, please

contact your usual BDBF contact, email us at info@bdbf.co.uk or call us on 020 3828 0350.

National Work Life Week: A Closer Look at Family Leave and Protections in the UK

The current framework of family leave and protections is undeniably complex, having grown incrementally over time into a structure that is challenging for many to get to grips with. This is already under consideration by the Government following a review opened in July 2025.

As recently published by [Working Families](#), coupled with this complexity is a disparity in entitlements and workplace protections, resulting in a system that they feel is “letting down” families. Their research reveals startling statistics about parents’ inability to access financial support, with widespread impacts on gender equality, child development and broader economic growth.

For Working Families’ [National Work Life Week](#), Rose Lim, Knowledge Lawyer at BDBF, examines the current framework of family rights and entitlements in the UK and the reforms planned under the Employment Rights Bill, and considers the

gaps which may be restricting families' ability to thrive both at work and at home.

What is the current framework?

Leave Entitlements

The current legal framework provides, in summary, for the following entitlements relating to pregnancy, childbirth and associated care (including via surrogacy and adoption arrangements):

- **Maternity leave and pay:** 52 weeks' statutory maternity leave (made up of 26 weeks' ordinary maternity leave and 26 weeks' additional maternity leave) and 39 weeks' statutory maternity pay (or maternity allowance).
- **Paternity leave and pay:** 2 weeks' statutory paternity leave, to be taken either as a single period or two separate weeks, and statutory paternity pay.
- **Shared parental leave:** Ability for parents to share the mother (or primary adopter)'s entitlement to 50 weeks' maternity leave, with statutory shared parental pay.
- **Parental leave:** 18 weeks' unpaid leave to be taken before the child's 18th birthday.
- **Bereavement leave:** 2 weeks' leave following the death of

a child or a stillbirth with statutory parental bereavement pay.

- **Neonatal care leave:** 12 weeks' leave to accommodate neonatal hospital care with statutory neonatal care pay.
- **Dependant leave:** Right to take 'reasonable' unpaid time off to help a dependant (including a child or partner) with an emergency.
- **Time off for antenatal appointments:** Right to paid time off for the mother (or primary adopter) to attend antenatal care appointments and, on two occasions, right of the partner to unpaid time off to accompany them at such appointments.

Each of the above rights is subject to eligibility criteria and notification requirements.

Many employers will have additional policies that benefit working parents, either by enhancing the statutory entitlement (most commonly with enhanced maternity pay), offering benefits from "Day One" of employment, and/or offering additional paid or unpaid leave.

Employers are also required to assess the health and safety risks posed to those who are pregnant or breastfeeding in the workplace and take any necessary steps to reduce them.

Protections

In addition to the leave entitlements outlined above, the law offers additional workplace protections for expectant and new parents.

Pregnancy / Maternity

Employees who are pregnant or on maternity leave have the protected characteristic of “pregnancy and maternity” under the Equality Act 2010, and are protected from unfavourable treatment due to their pregnancy, pregnancy-related illness or their having taken maternity leave. They are also protected from detriment and/or dismissal related to their pregnancy, maternity leave or giving birth, with dismissal being automatically unfair where it is connected to one of these factors.

In redundancy situations, employees who are pregnant, returning from statutory maternity leave or have otherwise given birth are entitled to be offered a suitable alternative role, essentially giving them priority over other colleagues to avoid redundancy. If such a role exists and is not offered to the employee, their dismissal will be automatically unfair.

On returning to work, employees who have been on ordinary maternity leave are entitled to the same position on the same (or no less favourable) terms. Those who have taken additional maternity leave are also entitled to the same role or a different suitable and appropriate role, again on the same (or no less favourable) terms.

Like all employees, those returning from maternity leave will be able to make a flexible working request. However, case law has established the existence of a 'childcare disparity', meaning that refusal of a flexible working request in these circumstances (or general inflexibility on working hours) can constitute indirect sex discrimination as a result of the increased expectation on new mothers to act as primary carer for children (*Dobson v North Cumbria Integrated Care NHS Foundation Trust (EAT) UKEAT/0220/19/LA*).

Paternity / Other Parental Leave

Employees who are on paternity leave are not specifically protected via the Equality Act 2010, but may in some circumstances be able to claim sex discrimination.

They are protected from detriment and/or dismissal for having taken (or seeking to take) paternity leave, or because their employer thought they were likely to do so. The dismissal will be automatically unfair if it is connected to these factors. The employee is additionally entitled to return to the same job (i.e. they are treated as if returning from ordinary maternity leave).

Similar protections also extend to those taking parental leave and shared parental leave.

What is on the horizon?

Under the Employment Rights Bill (the **Bill**), which is currently passing through the final hurdles towards Royal

Assent, parental leave and paternity leave are due to become “Day One” rights (i.e. there will be no minimum service, as is currently the case). It will also become possible to take paternity leave after shared parental leave (with associated pay entitlements). These updates are expected to come into force on 6 April 2026.

The Bill also provides for regulations to be made expanding protections from dismissal, although the detail of these new protections remains to be seen. Based on the Bill as it stands, the regulations will be able to be made to cover pregnant employees and those returning from maternity, adoption, shared parental, neo-natal and parental bereavement leave. Notably, this expansion of protection does not appear to include paternity leave, except in cases of extended paternity leave for bereaved parents the new Paternity Leave (Bereavement) Act 2024 (which is not yet in force).

In July 2025, the Government also opened a broad review into all parental leave and pay rights, including a Call for Evidence that ran until 25 August 2025. This will assess all types of family leave and pay and will run for 18 months before any changes are put forward. Please see our recent article [here](#) for further detail on this review.

What are the key gaps?

It is clear that there are significant differences in the legal protections and entitlements available to new mothers (or other primary caregivers) compared to their partners, the most notable being:

- Statutory paternity pay is not a “Day One” right, whereas statutory maternity allowance is available to all (if they do not qualify for statutory maternity pay).
- Paternity leave and pay excludes self-employed parents.
- Paternity (or otherwise being a child’s caregiver) is not a protected characteristic under the Equality Act 2010.
- Paternity leave and pay is limited to two weeks and cannot be extended without reducing the mother’s entitlement to maternity leave via shared parental leave.
- Future special protection from dismissal will not apply to those who have taken paternity leave.

Whilst, to some extent, these differences are a necessary reflection of the impact of pregnancy, childbirth and maternity, commentators have raised concerns that it entrenches the idea of one partner being the ‘default’ caregiver and the other partner taking a secondary role. This can have a consequential impact upon career progression, recruitment bias and the gender pay gap, referred to by Working Families as the “motherhood penalty”. According to recent [ONS data](#), monthly earnings five years after having children were reduced on average by 42% or £1,051 per month,

compared with earnings one year before the birth.

In June 2025, the Women and Equalities Committee (WEC) published a [report](#) noting how the present framework can make it challenging for fathers and partners to take a more active role as co-parent, and proposing that in order to promote equality, maternity and paternity rights should be “as equal as possible, to benefit mothers, fathers and families”.

Whilst the shared parental leave regime may have been intended to address the imbalance in available leave from work, it requires the partner who is entitled to maternity leave to ‘give up’ a portion of their entitlement. This may not be a practicable solution for many families, particularly in light of the fact that most companies enhance maternity offerings beyond the statutory minimum (making it a more attractive prospect than sharing parental leave). Even if it is financially viable, the WEC noted that cultural challenges of such leave being an exception rather than an entitlement can make it more challenging for partners to take it in practice, and [statistics have shown](#) that those taking shared parental leave face increased discrimination in the workplace. This is particularly significant considering the more limited discrimination and dismissal protections available to fathers and partners.

In addition to the direct impact, this reinforcement of parenting roles may additionally affect an employer’s perception and treatment of childcare responsibilities, particularly in terms of parents taking ‘informal’ time off or requesting flexible working.

In their [response](#) to the WEC on 19 September 2025, the

Government reiterated the importance of their parental leave and pay review, and confirmed that a key aim must be to “incentivise greater gender equality in parenting responsibilities”. Whilst some headway has been made towards this in the proposals under the Bill, it is evident from the [published debates](#) that Parliament recognises there is still some way to go in ensuring that the UK’s framework enables both parents to take a positive and active role.

BDBF is a leading employment law firm based at Bank in the City of London. If you would like to discuss any issues relating to the content of this article, please contact Rose Lim (RoseLim@bdbf.co.uk), Amanda Steadman (AmandaSteadman@bdbf.co.uk) or your usual BDBF contact

BDBF bolsters expertise with new and returning talent

BDBF, a leading employment law firm, announces the appointment of [Jamie Barton](#) as Managing Associate and [Rose Lim](#) as Knowledge Lawyer.

Jamie rejoins BDBF, having previously been part of the firm from 2017 to 2019, bringing his extensive experience in advising senior executives and employers on complex employment law matters. His expertise spans discrimination, whistleblowing, and high-stakes litigation across various sectors, including financial services. Rose Lim joins as Knowledge Lawyer, contributing her deep legal insight and analytical skills to enhance the firm’s knowledge management and client support. Rose will work together with BDBF’s

Principal Knowledge Lawyer, [Amanda Steadman](#). Their arrival strengthens BDBF's team, now comprising six partners, 16 associates, and an eight-member practice team.

The addition of Jamie and Rose reinforces BDBF's commitment to delivering exceptional client service, underpinned by a collaborative culture and a strong track record in litigation. The firm has been top ranked by leading independent directories for representing senior executives for 12 consecutive years while expanding its practice to support employers on critical employment issues.

[Gareth Brahams](#), Managing Partner, said, "We are delighted to welcome Jamie back to BDBF and to have Rose join our team. Jamie's proven expertise and familiarity with our firm's ethos, combined with Rose's sharp legal acumen, will further elevate the strategic advice and support we provide to our clients."

Jamie Barton commented, "It's great to be back at BDBF where I cut my teeth as a junior employment lawyer. Having spent the past five years at another leading city firm, I have deepened my experience of acting in complex employment disputes – for both sides – and I look forward to bringing that experience back to BDBF."

Rose Lim added, "I am delighted to have joined the Knowledge Team at BDBF, working alongside Amanda Steadman to support the firm's growing team of lawyers in maintaining their first-class legal expertise."





BDBF Webinar – The Employment Rights Bill: where are we now? – 7 October 2025

In this 1-hour webinar, BDBF Principal Knowledge Lawyer [Amanda Steadman](#) and Associate [Esmat Faiz](#) unpack the landmark Employment Rights Bill, now on the brink of becoming law. This webinar was originally delivered on 7 October 2025 and reflects our understanding as of that date. Do get in contact with either of the speakers if you would like to discuss any of the issues raised.

To view the PDF webinar slides please click on the image below, or view the recording of the webinar:



The Employment Rights Bill: where are we now?

7 October 2025



<https://youtu.be/X9cPDr2nEvg>

Please contact Amanda Steadman (AmandaSteadman@bdbf.co.uk), Esmat Faiz (EsmatFaiz@bdbf.co.uk) or your usual BDBF contact, for further advice.

BDBF ranked as a top tier firm in The Legal 500 UK 2026

BDBF has been ranked as a top tier firm for [Employment: Senior Executives](#) by The Legal 500 UK 2026, the only firm in its category with all six of its partners ranked. BDBF's team consistently provides exceptional expertise and results for senior executives. According to Legal 500, "BDBF are the absolute go-to firm for complex and high value claims."

The firm has also secured a new ranking in the [Partnership](#) category, underscoring its expertise as specialist legal partnership lawyers.

BDBF also retains its longstanding ranking in the [Employer](#) category for the work it does for employers, including providing representation in high stakes litigation.

Employment: Senior Executives – Tier 1

Legal 500 recognises BDBF as “Preeminent in the senior executive space, [Brahams Dutt Badrick French LLP](#) demonstrates expertise in discrimination, whistleblowing matters and sexual harassment cases. Practice head [Gareth Brahams](#) has a solid record in discrimination claims and high-stakes disputes, whilst [Claire Dawson](#) regularly advises on high value severance packages and intricate disciplinary and grievance processes. [Nick Wilcox](#) is an expert in employment disputes, particularly in cases with a regulatory dimension. Experienced litigator [Clare Brereton](#) works on disability discrimination cases and personal injury claims, and [Paula Chan](#) has a wealth of experience in High Court and tribunal claims, such as whistleblowing, discrimination and breach of contract. [Samantha Prosser](#) defends consultants and senior healthcare professionals against disciplinary allegations, bullying and raises grievances.”

Individual rankings:

All six BDBF partners have been ranked by Legal 500:

- Gareth Brahams – Hall of Fame
- Claire Dawson – Leading Partner
- Paula Chan – Leading Partner
- Nick Wilcox – Next Generation Partner
- Clare Brereton – Next Generation Partner
- Samantha Prosser – Next Generation Partner

Testimonials:

"Nick Wilcox is a fantastic litigator. He is composed and has excellent judgment."

"BDBF are the absolute go-to firm for complex and high value claims in respect of psychiatric injury suffered by senior executives, whether through bullying or stress at work. They have the knowledge and experience to address all aspects of those claims, including PHI/GIP entitlement, employment issues and the personal injury claim. They also are a leading firm for discrimination claims in the Employment Tribunal if that is the more desirable forum for the claim. They have the knowledge and experience of instructing and handling medico-legal evidence that is unmatched in the market."

"Gareth Brahams is an absolute titan of employment law. What Gareth does not know is probably not worth knowing. Recently promoted Partner, Samantha Prosser, is a rising star. She has a calm and reassuring air with clients that is essential when dealing with vulnerable individuals at the most difficult time of their lives. Claire Dawson is the safest possible pair of hands for complex and high value psychiatric injury claims."

"The team at BDBF are true experts in employment law. They came highly recommended and lived up to their reputation. They have an incredible wealth of experience in the field and appear to collaborate across the partners when there is a complex issue. I found their advice to be consistently sound and bold where it was needed. In terms of technology, I was amazed to see how AI was being used to help synthesise vast amounts of documentation to significantly reduce the need for many hours of human time. The other part that has been critical in my experience with the firm is their empathy for the personal impact of the process. For many clients, this may be the first and only experience of its kind, and dealing with individuals who show genuine compassion makes the world of difference."

"I have had the privilege to work with Samantha Prosser and

Gareth Brahams at BDBF, with Samantha being my key contact. From day one, Samantha showed understanding and compassion for the position I found myself in and guided me through it all step by step. She is incredibly knowledgeable, and her attention to detail is second to none. Her recall of the details of the case has been exceptional. As a client, it is important not to feel like a number, and Samantha made me feel that she was on the journey with me and genuinely cared about the outcome. Gareth's guidance throughout has been invaluable, and you immediately know you are dealing with a highly experienced leader in his field."

"Beyond their legal excellence, BDBF's welcoming atmosphere sets them apart. Their administrative staff ensured a warm and professional client experience, greeting visitors with genuine hospitality."

Partnership – Tier 4

In the Partnership category, Legal 500 comments that "[Brahams Dutt Badrick French LLP](#) has a robust offering which spans contentious, non-contentious, and advisory services ranging from litigation and investigations to exits and performance issues. The team is relied upon by a growing client base comprised of notable names from the financial, accountancy, and legal services sectors. Heading up the department is [Gareth Brahams](#), who is regarded by clients as a 'leader in the area' and has a particular focus on whistleblowing allegations. He is supported by partnership experts [Paula Chan](#), [Claire Dawson](#), and [Nick Wilcox](#)."

Testimonials:

"A very experienced and high-calibre team with good experience in LLP matters."

"Uniformly high quality."

"The firm provided excellent support in respect of a sensitive

and difficult partnership dispute.”

“Paula Chan is excellent – very diligent, organised, and strategic.”

“Paula gave 100% at all times and her work and service levels were exceptional.”

“Genuine experts on partnership/LLP law. Go-to firm for acting for individuals, especially. Highly responsive and outcomes-focused.”

Employers – Tier 6

In the Employers category Legal 500 states that “The employment practice at [Brahams Dutt Badrick French LLP](#) excels in complex and high-stakes disputes, in addition to senior exits and day-to-day matters. Led by [Gareth Brahams](#), the team primarily caters to domestic clients in regulated professions, including the financial services and insurance industries. [Nick Wilcox](#) handles high-profile disputes, including restrictive covenants and Employment Tribunal claims. [Samantha Prosser](#) became a partner in April 2025, while [Polly Rodway](#) became a consultant for the firm.”

Testimonials:

“Fantastic, well-rounded team with increasing profile on the employer side to match their experience on the employee side. The partners are well informed and engaged. The senior associates are phenomenal, and the most junior associates are responsible, sensible and given the opportunity to flourish.”

“Nick Wilcox is a fantastic partner who is never afraid to get stuck in. His team leadership is fantastic. Blair Wassman is an absolute star – always on top of every detail. Abdullah Ahmed is a star for the future – so on top of everything and wise beyond his PQE.”

“BDBF is a team of highly skilled, dedicated employment

lawyers with a high ratio of partners to associates. The quality of the team is excellent. Interesting and challenging work, and is a pleasure to deal with."

"Nick Wilcox is great. Clever and really engaged in legal questions as well as in client-facing work. He is great with people and a real pleasure to work with. Claire Dawson is also a standout in my view."

"The team has been very dedicated to our ongoing employment tribunal. They are switched on, often going above and beyond with research and collating information that has really helped us and also our barrister get ready for a tribunal. They have shown particular strength in being able to pick up and get straight back into the particulars even with lengthy time lapses between certain parts of our ongoing tribunal."

"Nick Wilcox, Blair Wassman and Abdullah Ahmed. All three are excellent, knowledgeable, reassuring and friendly. In particular Blair's recall and ability to remember things has been amazing and extremely helpful in our prep."

First and foremost, thank you to our team for their brilliance, creativity and dedication to securing the best outcomes for our clients. We are also grateful to our clients, referrers and employment law colleagues for the incredible feedback.

If you would like to discuss your employment law needs, please contact your usual BDBF contact, email us at info@bdbf.co.uk or call us on 020 3828 0350.