

Employment and Immigration Update



May 2025

The Employment Rights Bill continues to make (slow but steady) progress in the House of Lords, with the fine details of the Bill's provisions currently being scrutinised during the Committee Stage.

Whether the Bill will be granted Royal Assent prior to Parliament's summer recess remains to be seen, but a large number of amendments are being considered and voted on by peers before the Bill returns to the House of Commons. We take a look at some of the most [recent amendments to the Bill](#), with reference to the provisions for zero and low-hours workers and the new right to be offered a 'guaranteed-hours' contract.

The Court of Appeal has recently considered the test for deciding whether a worker has received less favourable treatment due to their part time status. In this interesting decision, the court has followed previous authority on the applicable test, despite the majority of the court disagreeing. We explain why in our [summary of the decision](#).

We also take a look at a [recent Employment Appeal Tribunal \(EAT\) decision](#) in which independent HR consultants were joined in a claim as 'agents' of the employer. Were they jointly liable for the claimant's dismissal?

In our [immigration update](#) this month [Sacha Wooldridge](#) summarises a recent government White Paper (Restoring Control over the Immigration System).

This month we have also published the [results](#) of our recent survey on the [impact of employment tribunals on care sector employers](#), with some interesting findings particularly in relation to the volume of disciplinaries and grievances in that sector.

Thanks to all those who joined us for our recent Early Bird series, 'Social Media Showdown', we've had some fantastic feedback. For anyone who missed out and would like to join us in London, we have one remaining session on 1 July 2025, with a few places remaining. For more details and to book your free place see [here](#).

It's not too late to join us in Norwich for our latest [Managing Mental Health training session](#), on 4 June 2025, which is being held in conjunction with Bamboo Mental Health. It explores best practice approaches to handling critical but compassionate conversations with your staff, with a detailed case study.



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Featured articles

Part-time discrimination: time for a shift?

The Court of Appeal recently confirmed that part-time workers can only claim discrimination under the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (PTWRs) where their part-time status is the sole reason for the less favourable treatment by their employer, rather



than merely an effective or substantial reason.

[Read more →](#)



Employment Rights Bill – House of Lords considers guaranteed-hours provisions

The Employment Rights Bill is currently undergoing the Committee stage in the House of Lords, which involves close scrutiny of the detailed provisions in the Bill and considering proposed amendments.

[Read more →](#)

Can HR consultants be responsible for an employer's decision to dismiss?

The Employment Appeal Tribunal has recently considered whether independent HR consultants, engaged by an employer to investigate grievances and conduct a disciplinary hearing, were acting as the employer's 'agent' and therefore liable for the decision to dismiss.



[Read more →](#)



Immigration update - May

[Sacha Wooldridge](#) provides a round-up of important immigration updates for employers.

[Read more →](#)

Best Employers Eastern Region

We are proud sponsors of Best Employers Eastern Region. The 2025 programme has now launched and registrations are open.



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New research: disciplinaries and grievances significantly higher in care sector

[The Birketts view: Employment tribunals in the care sector impact report 2025](#), which surveyed HR professionals in businesses in England and Wales over a two-year period, found that on average, respondents from the care sector reported 53 disciplinary matters over the preceding 24 months, compared with an average of 37 across all sectors.

[Read more →](#)

Events



London - Employment Early Bird:
social media showdown – when
employee posts cross the line

We still have tickets available for our
Early Bird event happening in London
on 1 July.

[Sign up now →](#)

Managing Mental Health “Critical
and compassionate conversations”
Norwich - 4 June

Tom Oxley (Bamboo Mental Health)
and Jonny Shevlane (Birketts) will lead
the group through a detailed case study
to move through key touch points in
the employment relationship



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