

London Legal Support Trust London Specialist Advice Forum meeting – Meeting notes

Wednesday 3 December 2025, 3-5pm

Chair: Noella Gooden, Workforce Development Co-Ordinator, Law Centres Network

This document contains notes from the December 2025 London Specialist Advice Forum meeting.

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1. Welcome and opening remarks

Noella Gooden (Law Centres Network) opened the meeting by welcoming all attendees, introducing herself and the Law Centres Network, and giving a brief overview of the agenda for the day.

Lukia Nomikos (LLST) covered practical venue-related housekeeping points and informed attendees that Nadoya Reid (LLST) would be taking photos during the meeting for LLST's social media channels.

2. Presentation: What to expect of the Employment Rights Bill and the Fair Work Agency

Speaker: Emma Wilkinson, Director, Employment Legal Advice Network (ELAN), Trust for London, elan@trustforlondon.org.uk

Slides available [here](#).

- Introduction to ELAN, which is a network of 120 organisations supporting workers in low-paid, often insecure jobs, learn more about their employment rights and how to enforce them.
- The Employment Rights Bill (ERB) keeps changing rapidly, with significant ongoing parliamentary “ping-pong.”
- Changes will not be implemented suddenly; the process will be gradual.
- The [ACAS ERB roadmap](#) was highlighted as a useful visual explanation of the implementation stages.
- The Bill returns to the House of Commons on 8 December. After that, it must still – at the very least – go to the House of Lords and then back to the Commons.
- The earliest the Bill could become law is late 2025 or early 2026.

Key legal changes

- **Introduction of the Fair Work Agency (FWA) (April 2026):**
 - A single enforcement body for employment rights, long called for by the sector.
 - From April 2026, a number of things will be brought into the FWA, the failure to pay National Minimum Wage, and the work carried out by the Gangmasters and Labour Abuse Authority and the Employment Agency Standards Inspectorate. This will later be expanded to include enforcement of failure to pay statutory holiday pay and Statutory Sick Pay (SSP).
 - This represents a major shift away from reliance on individual enforcement through Employment Tribunals into significantly enhanced state enforcement.
- **Increase in Employment Tribunal time limits to 6 months:**
 - Currently 3 months from the date of the act complained of; doubling the limit is seen as a significant, positive change.
 - Will allow advisers more time to support clients, think through cases, and avoid the current pressure and rush.
- **Unfair dismissal rights after 6 months' service and removal of statutory cap (2027):**
 - Current qualifying period: 2 years.
 - Originally proposed as a day-one right, which raised practical concerns when an employment relationship may simply not be a good fit.
 - Bill proposes 6 months' service from October 2027, but this could be brought forward to 1 January 2027.
 - Statutory compensation cap:
 - The 52-week cap may be removed.
 - The £118k upper limit may remain – still uncertain.
- **Day-one Statutory Sick Pay (SSP) entitlement:**
 - A major change for clients.
 - Removes the lower earnings limit and applies from Day 1, rather than day 4 as currently, making SSP accessible to many low-paid workers who currently do not qualify.
- **Restrictions on fire and rehire provisions:**

- Will become unlawful where the sole reason is to change contractual terms.
- A response to P&O Ferries' decision in 2022 to absorb litigation costs rather than follow employment law (because it was cheaper).
- **Introduction of right to receive guaranteed hours (2027):**
 - More complex than just abolishing zero-hour contracts.
 - Not clear exactly what the parameters will be yet – that will be determined by regulations. After consultation, it could well be that workers averaging 16 hours over 12 weeks would gain a right to guaranteed hours.
 - Still unclear whether this will be a right to request (making the obligation on the employee) or a right to receive (making the obligation on the employer to deliver).
 - Could be particularly impactful for migrant workers who are disproportionately on low or no-hours contracts.
- **Collective enforcement powers:**
 - The FWA will be able to enforce unpaid holiday pay and SSP on a collective basis, allowing a single claim to cover a wider group of affected workers.

Fair Work Agency

- Success depends strongly on adequate funding and on workers' trust in the agency.
- Advisers will play a key role as trusted intermediaries in building that trust.
- Advisers and organisations should consider how to make new rights accessible and understandable within their communities.

Community advising, rights and enforcement

- Discussion on what these changes might look like in day-to-day work with communities and how rights can be made more accessible.
 - One attendee reported launching a new public legal advice project, delivering presentations locally to improve public awareness. Capacity remains extremely limited, with only one employment adviser and many clients having to be turned away.
 - Another attendee is running "Know Your Rights" sessions for migrant workers, explaining what rights exist now, what is coming with the Bill, and dispelling myths. Capacity constraints mean they will never be able to provide individual advice for everyone who needs it.
- It was acknowledged that many clients experience gaslighting from employers; knowing their rights can be empowering.
- An example was shared of a non-unionised workplace forming a collective group internally, which was riskier but enabled workers to act collectively and put a representative forward.

Final reflections and questions

- Attendees were encouraged not to overthink changes and recommended sources to stay updated were shared: Daniel Barnett's mailing list, Darren Newman on LinkedIn, and the Lewis Silkin Employment Rights Bill dashboard.
- There will be 26 consultations in the next six months, meaning significant details may still change.
- In response to a question about how much consultations might change the Bill:
 - Some areas may shift substantially (e.g., collective consultation, zero-hour contracts); others less so.
- Advisers' frontline experience will be important in informing ELAN, LCN, and others.

3. Presentation: Migrant workers and the Employment Rights Bill

Speaker: Dr. Dora-Olivia Vicol, CEO, Work Rights Centre,
olivia.vicol@workrightscentre.org

Slides available [here](#).

Why focus on migrant workers

- Migrant workers form a very diverse and critical part of the UK workforce.
- 1 in 5 workers in the UK were born abroad, and there is a clear upward trend.
- Many sectors rely heavily on migrant labour.
- Some occupations are almost 50% migrant workers (according to the 2021 Census).
- Migrant workers are represented across all job levels, from productive to reproductive, and from seasonal workers to CEOs.
- Certain industries are undercounted in official statistics, masking the true scale of reliance on migrant workers.
- There is serious overrepresentation of migrant workers in precarious work, yet underrepresentation in the employment rights debate.

Precarity of migrant workers

- More likely to be on zero-hours contracts.
- Three times more likely to work in the gig economy.
- More likely to be in bogus self-employment.
- Less likely to be unionised.
- According to a Resolution Foundation report these discrepancies soften, but do not disappear, as people spend more time in the UK.
- Migrant workers in the UK for less than 5 years are the most overrepresented in precarious roles.

Barriers to decent work

- Advice and information on employment rights have been particularly difficult to access for migrant communities.
- Lack of trust in communities plays a role, but there are deeper systemic barriers.
- Sectoral dynamics:
 - Agricultural sector: Workers with 6-month visas living in caravans are far from legal advice services in cities.
 - Care sector: Precarity across the sector; contracts often fall through.

How the immigration system increases the risks of exploitation

- Post-Brexit system ties visas to Home Office-approved employers, putting employers effectively in charge of visas.
- If a migrant worker's employment ends, for example due to exploitation, they officially have 60 days to find a new sponsor – otherwise their visa is curtailed.
- Relatively few employers are authorised sponsors, worsening the power imbalance.
- Example: if a pregnant worker is unfairly dismissed, they have no access to public funds to support them in the interim, making it nearly impossible to support themselves and pursue a tribunal claim.
- Employers have so much power that they sometimes just tell workers to “go back home” if they’re unhappy with their working conditions.
- Financial exploitation: workers charged large sums for jobs that don’t exist.
- Some workers are “strung along” - not formally dismissed or resigned - and given no work, leaving them in limbo.
- When employers can’t provide continuity of employment (i.e. contracts fall through), migrant workers find themselves without an income, and with no recourse to public funds.
- Employers may overstate salaries to the Home Office and not pay them in practice.

Possible remedies

- This depends on the person’s needs, which are often layered (immigration, housing, financial stability, safety).
- Some cases involve concerns with personal safety, or modern slavery, and may require a police report or a NRM referral.
- Reporting exploitation can affect the worker’s immigration status, making them reluctant to seek help and making it a difficult position for advisers.
- Some migrants may be able to work 20 hours of supplementary work per week outside of their main sponsored role.
- Only once immigration and safety concerns are addressed can organisations realistically look at tribunal claims or compensation.

Considerations when bringing an Employment Tribunal claim for sponsored workers

- Is there an employment relationship?
- Is the claim in time?
- Will the claimant still be in the UK to give evidence, especially if on a short-term visa? (not usually possible to give evidence remotely)
- Will the employer actually pay any award ordered?

Will the Employment Rights Bill address these issues?

- Many welcome provisions:
 - The Fair Work Agency will simplify labour enforcement, have a wider remit, and have new powers to investigate and fine rule-breaking.
- But major issues remain out of scope, especially around immigration reform, for example ending the system of employer-tied visas.
 - Other countries (Australia, Ireland) provide protection for workers who experience exploitation; the UK does not.
- There is a major compliance gap: employers risk large fines if they hire someone illegally but face no financial penalties if they are found to have lied to the Home Office and exploited their sponsored workers.

Some ways forward

- Policy level: influencing the FWA and responding to government [consultation](#) on the changes to settlement rules.
- Further research.
- Legal challenges.
- Changes to settlement routes are creating serious concerns:
 - For some workers, the settlement route may extend to 10, 15, or even 20 years, effectively elongating the number of years on high-risk employer-sponsored visas, which are at times akin to bondage.
- Work Rights Centre has launched a [survey](#) for employment legal advisers, to evidence capacity issues in Employment Tribunals, and propose a framework for the FWA to take more pressure off the tribunal system.

Final reflections and questions

- In response to a question about what the proposed extensions to settlement routes mean for migrant workers:
 - 10-year routes will be the default to settlement. Settlement will be extremely difficult, especially for low- and medium-paid workers. Attendees were again encouraged to complete the government [consultation survey](#) on the changes to settlement.
- In response to a question about what happens in practice to the migrant workers who don't bring claims or return home:
 - A small number manages to find a new sponsor and a new job within the 60-day window. Some workers take informal work in the underground economy; some return home. The Home Office has occasionally exercised discretion by informally extending the 60 days, but this is not official policy.

- Comment from an attendee: Women's organisations report cases of women putting up with abusive or sexually exploitative relationships to stay in employment.
- In response to a question about what can be done about the gap between employment legislation and immigration legislation:
 - We should try to influence the development of the Fair Work Agency so that it doesn't become a mechanism for immigration enforcement. If workers fear immigration consequences, they won't speak up – this is in no one's interest. Other countries with similar immigration systems (Australia, New Zealand, Canada) have more safeguards and provide new pathways to exploited workers; this is considered standard practice elsewhere but is missing in the UK.
- Comment from an attendee: Visas, and their extensions, are quite stressful for employers too. Home Office has limited appointment availability.
 - This is something we can use in our advocacy. One suggestion is to make visas sector-based rather than employer-based (e.g., a visa tied to the care sector rather than a single employer). Although an immigration white paper mentioned exploring greater flexibility, this has not been progressed.

4. Facilitated group discussion on employment rights and advice

Led by: Noella Gooden, Workforce Development Co-Ordinator, Law Centres Network

The discussion prompts below were shared with attendees ahead of the meeting to allow time for reflection, and the points that follow reflect responses and observations made by attendees during the session.

What do you think are the 3 main challenges that employment advisers, and their organisations, are currently facing? If you don't provide employment advice, or your employment advice provision is extremely limited, why is that? What challenges need to be overcome in order for you to provide employment advice?

- **Client expectation influenced by ChatGPT:**
 - Clients are increasingly relying on ChatGPT and telling advisers what their claims are, how they should be actioned, and what compensation they should receive.
 - It's understandable that clients resort to ChatGPT and there are various reasons for this:
 - People want quick, bite-sized information
 - Overload and complexity of information in certain areas of law, particularly immigration
 - ChatGPT gives clients the answers they want i.e. clear, confident yes/no answers, without nuance
 - Lack of advisers, particularly in employment law

- Over-reliance on ChatGPT can be dangerous – it gets things wrong, (especially in quickly-evolving areas of law), it lacks nuance, and it tells people what they want to hear.
- **Funding, capacity, and workforce issues:**
 - Very few employment advisers across organisations – sometimes just one person – which means many clients are turned away.
 - Clients often feel they're being “passed around” when being referred or signposted from one organisation to another – it's unfortunate but unavoidable given resource constraints.
 - There's no legal aid for employment advice, except in trafficking and discrimination cases.
 - Discrimination legal aid contracts are difficult to secure as the criteria for this are high e.g. you need a legal aid supervisor.
 - Supervision requirements create significant pressure: you need substantial experience to meet legal aid criteria, and organisations often invest in training staff only to lose them when funding ends.
 - Working in employment advice can feel isolating once you reach a certain level of expertise; ELAN was highlighted as a valuable network to counter this.

What sources of funding do you use / are you thinking of using in your organisations?

- Attendees were asked if they had any recent successes in securing funding for employment advice. There was a big resounding silence. It was mentioned that sometimes “badgering” funders works.

What can we do (individually and jointly) to elevate understanding of the position of employment advice and the problems with providing it (including to government and funders)?

- **Unionisation and collective bargaining:**
 - Encourage unionisation – this has been the generational solution and unions are often the starting point for advice.
 - Where issues are collectivised, employers are more likely to fold.
 - Less isolating for individuals.
 - Newer unions (e.g. IWGB) have fresher approaches, are often aligned to sectors, tend to be much bound by the constraints of unionisation, and have fundamentally changed grassroots organising.
 - Seeing some successes, e.g. IWGB has great presence among Uber and Deliveroo drivers, and great accessibility in terms of language.
- **Community organising:**
 - Find ways to support community organising e.g. by empowering them with legal knowledge.
- **Modelling good employer practice in the sector:**
 - As a sector, we should be modelling good employer practice and working conditions, e.g. the disproportionate amount of fixed term contracts.
 - The role of advice funders was highlighted - they should be encouraged to fund advice providers who offer fair working practices.

- The work of the Advice Workforce Development Fund was also highlighted – two reports on [pay](#) and [conditions](#) in the sector were published this year.

We have heard from Emma about greater number of rights being introduced, including the reduction of the qualifying period for unfair dismissal claims, and from Olivia about the significant challenges experienced by marginalised communities to access those rights. The Employment Tribunal system is already not coping with the number of claims that it currently has, let alone the increased demand that is coming in the pipeline. What do you think needs to happen to have claims processed efficiently and in a timely way?

- No reforms are currently proposed to improve tribunal capacity.
- Work Rights Centre has launched a [research project](#) on Employment Tribunal capacity issues and delays.

5. AOB and closing remarks

Lukia closed the meeting by thanking the Chair, speakers, and attendees for their contributions.

The dates for next year's Forum meetings haven't been agreed yet but will be shared as soon as they're finalised. The first meeting will most likely take place in March.

Attendees were encouraged to complete the LSAF Annual Survey and add post-it notes on two flipcharts to highlight and celebrate achievements and positive developments in the sector.

A shout-out was given to an attendee who had just qualified as a solicitor.

6. Useful links and resources

- Law Centres Network [website](#)
- Employment Legal Advice Network [website](#)
- ELAN [signposting list](#)
- ACAS Employment Rights Bill roadmap [visual](#)
- Work Rights Centre [website](#)
- [Get help](#) from Work Rights Centre
- Work Rights Centre [research project](#): Access to justice and system capacity in Employment Tribunals
- Home Office [consultation](#): Earned settlement
- Advice Workforce Development Fund reports: "[Pay Recommendations for the London Social Welfare Advice Sector](#)" and "[Conditions and Benefits in the London Social Welfare Advice Sector](#)"