

Monday Morning Dispatch

YOUR WEEKLY EMPLOYMENT LAW NEWSLETTER FROM CHADWICK LAWRENCE LLP

Coming up this week...

- Sam & Nils discuss recent trade union changes and post termination for migrant workers.
- In our final video on fire and rehire, Daniel looks at the Government's consultation on whether significant changes to shift patterns should stay outside the new rules or be treated as a 'restricted variation'.
- In the news, we take a look at a case about balancing protected beliefs in the workplace.
- Register for our Employment Law seminars & events below!

The Legal Alternative Podcast



27. Trade Union Changes and Post Termination for Migrant Workers

On The Legal Alternative this week, Sam provides an update on recent trade union reforms introduced under the Employment Rights Act changes, including amendments that reduce notice periods for industrial action and extend ballot mandates. Nils then discusses practical and legal considerations when terminating the employment of migrant workers, providing guidance on managing visa expiry dates appropriately and avoiding discrimination risks.



The Media Hub



Fire and rehire - Part 3 of 3

In this final video in our series on fire and rehire provisions, we focus on the second part of the Government's current consultation, which aims to consider changes to shift patterns. The Government seeks views on whether changes to shift patterns should remain outside the scope of the new rules, or whether extreme changes might be included in the definition of a 'restricted variation'.



In the News



Ngole v Touchstone Leeds [2026] EAT 29: Balancing Protected Beliefs in the Workplace



Over recent years, the Employment Appeal Tribunal and Court of Appeal have continued to shift the legal landscape for belief-related discrimination claims under the Equality Act 2010. Notable decisions such as *Higgs v Farmors School* and *For Women Scotland Ltd v The Scottish Ministers* have prompted renewed scrutiny of what amounts to a protected belief and how competing rights should be balanced in a workplace setting. This article discusses a recent controversial Yorkshire case that brought these questions back into focus.

The Facts of the Case Study

Felix Ngole (Claimant) was offered a role with Touchstone Leeds (Respondent), a mental health and wellbeing organisation working with diverse communities, including significant work with LGBTQI+ communities. Mr Ngole holds orthodox Christian beliefs around homosexuality.

When the Respondent was unable to obtain references, they conducted an online search and identified historic media coverage relating to Mr Ngole's earlier litigation with Sheffield University. That litigation stemmed from social media posts in which he expressed the view that homosexuality is a sin.

The Respondent considered that if service users came across those media reports online, they might find the views expressed objectionable and feel uncomfortable engaging with him. On that basis, the Respondent concluded that Mr Ngole may be unable to fulfil the requirements of the role and withdrew the offer, requiring him to attend a second interview. Following that interview, the offer was not reinstated. The Employment Tribunal (ET) upheld the Respondent's decision.

The EAT's Findings

The Employment Appeal Tribunal (EAT) held that the ET had failed to properly identify and analyse the reasons behind the Respondent's actions.

The EAT accepted that it was legitimate for the Respondent to consider whether the Claimant could carry out the role and to raise questions before employment commenced. However, it held that the ET had not adequately examined what, specifically, service users would have found objectionable about the historic posts.

However, the EAT held that the ET failed to analyse what the Respondent's service users might have found objectionable about the posts being referred to. It seems that the Respondent assumed that service users would object to the claimants' online posts and beliefs that 'homosexuality is a sin' and 'same sex marriage is a sin whether we like it or not' if they were to find the media reports online. The EAT held that if the comments the Claimant had made online and the dislike of his religious views is the reason why the Respondent failed to reinstate the job offer, this may amount to unlawful direct discrimination.

In their outcome the EAT explained that the matter had therefore been remitted for a full reconsideration of the reasons for the decision not to reinstate the offer.

What Does This Mean for Employers?

This judgment reinforces that when dealing with protected beliefs and discrimination a granular level of analysis must be applied distinguishing between multiple reasons for taking a decision and then breaking down each decision and explaining why each reason is justified and lawful.

The judgement reaffirms that employers cannot justify treatment based purely on concern that a third party might react negatively to an employee's protected beliefs and instead individuals' different beliefs must be balanced.

Finally, the case serves as a reminder of the importance of process. Employers should ensure that concerns are explored through clear questioning, that individuals are given a proper opportunity to respond, and that decisions are based on evidence rather than assumption.

Upcoming Seminars & Events



We're pleased to announce the return of our Employment Law Seminars & Events Programme for 2026! For more information and to register, please click below:

Managing Flexible Working Requests - Legal & Practical



TIME

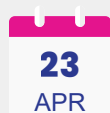
8:30 AM - 10:00 AM

LOCATION

Chadwick Lawrence Huddersfield Office, HD1 1JS



Employment Law & Salary Guide Update *with Hays*



TIME

8:30 AM - 10:00 AM

LOCATION

Hays Leeds Office, LS1 8EQ



Mental Health Awareness Sessions

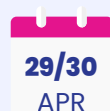


We're partnering with Tailored Learning Solutions to offer two day, in person, accredited Mental Health First Aid courses at our Wakefield office.



Accredited by MHFA England® and the Royal Society for Public Health, MHFAiders will improve knowledge and develop skills to support someone who may struggling and what to do with crisis support.

MHFA 2 day (all day events) - £300 +VAT pp.



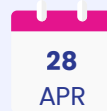
(Includes 3 year membership to the Associate for MFAiders, 3 years access to the MHFA Support App, Immediate wellbeing support via SHOUT charity, Quarterly Webinars and optional Level 3 OfQual Examination accredited with the Royal Society for Public Health)



MHFA Refresher - £125 + VAT pp.

9:30 AM - 13:30 PM (Includes same benefits as above)

Managing Neurodiversity in the Workplace - for Managers (CPD Certified 8hrs) - £250



1 Hour
(9:30 AM)



1 Day
Workshop

Both sessions need to be attended for the full CPD hours manager course, but the awareness can be attended as a stand alone event without the managers day (hope that makes sense). If you have learners just wanting the webinar this will be £50 pp. 1 hour CPD certificate but no access to benefits.

(Learners that attend both the webinar and managers course can access a free learning portal with additional resources for 3 years with new information being frequently, review slides, notes and videos at any time).

More info on MHFA and ND courses can be found here:

<https://www.tailoredlearningsolutions.co.uk/mental-health-first-aid>

Contact Us



For questions, feedback, article ideas, or story contributions, email boxhr@chadlaw.co.uk and we'll be in touch.

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