MMD
MONDAY MORNING DISPATCH
BY Chadwick Lawrence

21 SEPT 2026

# Monday Morning Dispatch

YOUR WEEKLY EMPLOYMENT LAW NEWSLETTER FROM CHADWICK LAWRENCE LLP

**Coming up this week...**

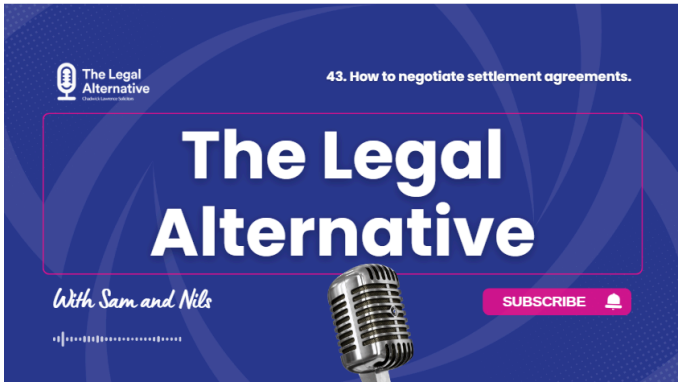
- This week on the Legal Alternative we touch on negotiating settlement agreements.
- This weeks article addresses the ever growing tribunal backlog and it's knock on effect on employers and claimants awaiting tribunal.
- Coming up next in Darlington, Dan Krigers begins a two part dive into negotiating settlement agreements.

## The Legal Alternative Podcast

This week on the Legal Alternative Sam breaks down the basic need to know around negotiating settlement agreements...

Next week Dan Krigers will be delving deeper into the topic in an in depth two part seminar series.

If you have a topic you would like to discuss or fancy a spot on the pod please reach out to emilyshepherd@chadlaw.co.uk




## In the News

**The Employment Tribunal case backlog is now at 70,000 – but what does this means for employers?**





On 10 September 2026, the Ministry of Justice (MoJ) released their quarterly tribunal statistics revealing that the Employment Tribunal's single-claim caseload currently stands at approximately 70,000 cases. This represents a significant 51% increase on the previous reporting period and highlights the growing pressure which the tribunal continues to face.

These figures come ahead of significant employment law reforms that are likely to increase claim volumes further. One of the most notable changes includes an increase in limitation periods from 3 to 6 months, meaning that from October 2026 employees will have double the amount of time they have currently to bring an employment-related claim. In addition, from January 2027 employees will be able to bring a claim for unfair dismissal after only 6 months of service as opposed to 2 years following regulations being brought in under the Employment Rights Act 2025.

Employment Tribunal claims are already routinely being listed two -three years after the claim is issued, but with the additional changes coming into force, we may see this get increasingly worse over the next year. Employers may therefore find themselves involved in employment disputes for considerably longer periods, with the associated costs, management time and commercial disruption that the extended period brings. So, what can employers do to prepare ahead of the upcoming change to ensure that they are not getting caught up in the litigation process?

**Ensure Policies and Contracts Are Clear and Up to Date**

With the qualifying period for unfair dismissal reducing to six months, employers will no longer be able to dismiss employees with relatively short service without following a fair and reasonable process.

It should also be noted that this will apply retrospectively so all employees with 6 months of service as of January 2027 will be able to bring a claim for unfair dismissal. As a result, disciplinary, capability and performance management procedures are likely to become increasingly important. Employers should ensure that these processes are clearly documented within their policies and that employees know how to access them. Failing to have clear procedures in place could significantly increase the risk of claims and make it more difficult to defend them successfully.

**Make Effective Use of Probationary Periods**

With employees obtaining additional employment protections after six month's service, the probationary period is likely to become more important than ever.

Employers should use this period proactively to assess whether an individual is the right fit for the role. Performance, conduct and capability concerns should be identified and addressed early, with regular reviews and appropriate feedback provided throughout the probationary period.

Once an employee has reached six months service, any dismissal will need to be supported by one of the potentially fair reasons for dismissal and carried out in accordance with a fair process.

**Resolve Issues Informally Where Possible**

Once of the most effective ways to reduce the likelihood of Employment Tribunal claims is to foster a workplace culture in which employees feel supported and comfortable raising concerns.

Employers should encourage open communication at work and seek to address issues at an early stage before they escalate into formal grievances or disputes. Employees who feel listened to and fairly treated are often less likely to pursue legal action, even where difficulties arise.

To conclude, while the growing Employment Tribunal backlog does present considerable concerns for employers now, the upcoming reforms are likely to increase the difficulties surrounding disputes in the future. If your Company requires any assistance with the reviewing and implementing the required updates ahead of the upcoming changes in legislation, please get in contact with our Employment team at Chadwick Lawrence.

# Upcoming Seminars & Events

New

**Settlement Discussions, Negotiations and Agreements** - Part 1

30 Sept

**Time**
8:30 AM - 10:00
**Location**
Chadwick Lawrence Darlington Office, DL1 1GL



New

**Managing AI in the Workplace -**
Legal & Practical

8 Oct

**Time**
8:30 AM - 10:30
**Location**
Chadwick Lawrence Wakefield Office, WF1 2DF



New

**Conflict Management With Dale Carnegie-**
Leadership and Communications Experts

15 Oct

**Time**
8:30 AM - 10:30
**Location**
Chadwick Lawrence Wakefield Office, WF1 2DF



# 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.

**29/30** APR | **1/2** JUL | **30/1** SEPT/OCT

(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)

🔗 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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