

Insights

UK HR TWO-MINUTE MONTHLY: EMPLOYMENT CASES & NEWS – MARCH 2026

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SUMMARY

Welcome to the March 2026 edition of BCLP’s UK HR Two-Minute Monthly – your quick, practical roundup of the latest UK employment law cases, HR developments and legislative news. Each month we break down key decisions and upcoming changes into concise, bite-sized insights designed to help HR teams stay informed and ahead of emerging trends in employment law.

RECENT CASE LAW

WHISTLEBLOWING – WHO DECIDES WHAT’S IN THE PUBLIC INTEREST? ELENA BIBESCU V JENNERS

This case serves as an important reminder of the public interest test being based on an individual’s reasonable belief – not the view of the tribunal or even the facts as they stand. It also highlights the critical role of evidence when dealing with performance concerns.

[Read the full update >](#)

CAN ONLY WORKERS BE WHISTLEBLOWERS? MACLENNAN V THE BRITISH PSYCHOLOGICAL SOCIETY

This case examined whether an unpaid, voluntary President-Elect of a charity could be eligible for whistleblowing protection in the same way as a “worker”, including protection against detriments after making protected disclosures. It raises wider implications via the fundamental issue of who should be protected by whistleblowing legislation and why certain individuals, including unpaid volunteers, are deprived of it. Is the current regime too narrow in scope?

[Read the full update >](#)

EMPLOYMENT NEWS

THE EMPLOYMENT RIGHTS ACT 2025 (ERA) – WHAT’S COMING IN APRIL

On 6 April 2026, the first major provisions of the Employment Rights Act 2025 take effect, including:

- Collective redundancy protective award
- Family leave rights
- Whistleblowing
- Statutory Sick Pay reform
- Gender equality and menopause action plans
- Fair Work Authority

Key changes include SSP becoming payable from day one, the doubling of the collective redundancy protective award, and sexual harassment complaints being treated as whistleblowing disclosures.

[Read the full insight >](#)

RECORD BACKLOG AT THE EMPLOYMENT TRIBUNAL IN ENGLAND AND WALES

The employment tribunal system in England and Wales is experiencing its largest backlog on record. By January 2026, the “open caseload” had grown to 68,192 cases, up from 45,751 in January 2025 – an almost 50% increase in a single year.

Recruitment of new salaried employment judges is underway, but this is unlikely to clear the backlog, especially with the implementation of the ERA 2025.

Hearings are being pushed further into the future, with longer waits and possible cancellations expected. Government options to reduce claims are limited; the only proven method – tribunal fees, which were introduced in 2013 – were also ruled as unlawful by the Supreme Court in 2017.

[Read the full insight >](#)

If you have any questions about the cases discussed in this update or need guidance on upcoming changes in UK employment law, please contact a member of [BCLP's UK Employment Team](#).

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