



Transport Conference: Keeping your wheels legal

Delegate Pack Thursday 26th February 2026

We have put together this pack to provide extra information and tools in addition to the presentations that you will hear over the day, to include:

- Meet the speakers
- Useful links
- Articles
- Contact information
- Our services



Today's Speakers



Mike Hayward
Equity Partner, Woodfines Solicitors

Mike is Head of Woodfines' Regulatory and Dispute Resolution and Transport team. He is renowned for his expertise in advising businesses and individuals facing personal and commercial prosecution brought by the Crown Prosecution Service, Health and Safety Executive, Trading Standards and other enforcement agencies.

He specialises in:

- Criminal Defence (including large scale fraud)
- Licensing (alcohol/SEV/taxi)
- Proceeds of Crime
- Motoring Defence.

Mike has a sensitive approach when dealing with individuals facing accusations of grave crimes such as homicide and sexual offences. He is able to hone his years of experience in providing support to individuals from advising at interview under caution to representing them in Court.

Mike has acted for a wide range of clients from industries including the farming community, waste operators, builders (including asbestos matters), education, hospitality and medical professionals.

Mike also acts for those in the transport, haulage and distribution industry advising on all aspects of Operator Licensing.

He also advises businesses and individuals facing Public Law challenges with Local Authorities (Licensing and Planning). He has experience in assisting clients at application stage, at Committee, and in appeals before all Courts, including the High Court. Under his lead, the team were successful in the first ever case of its type. concerning taxi licensing, with national implications. Mike is regularly called upon to advise government agencies on aspects of regulatory enforcement and compliance matters.



Mark Cartwright
Head of Commercial Vehicle Incident Prevention
National Highways

Mark leads the Commercial Vehicle Incident Prevention team and the Driving for Better Business programme at National Highways. He's been with National Highways for four years following a long career at Freight Transport Association (now LUK) culminating in the development and management of their multi-award winning Van Excellence programme. Mark is a Fellow of the Institute of the Chartered Institute of Logistics and Transport. Mark was honoured to receive the Kevin Storey Award for Outstanding Commitment to Road Safety in 2023.



Maria Gallucci
Equity Partner, Woodfines Solicitors

Maria has been a qualified employment solicitor since 2001, predominantly advising and acting on behalf of employers, but also employees. During this time, she has developed a wealth of expertise in all areas of employment law.

Maria supports clients across a wide range of employment issues including:

- Strategic advice around re-organisations;
- Employment law advice on business sales, transfers and mergers;
- Advocacy at various hearings, including case management discussions and final hearings, in Employment Tribunal cases;
- High Court employment matters, including those involving breach of post termination of employment restrictions and/or confidentiality;
- Advice on exit processes and terms for senior executives.



Nathan Taylor-Allkins
Partner, Woodfines Solicitors

Nathan specialises in the representation of individuals and businesses against prosecutions brought by the Crown Prosecution Service, Trading Standards, the Health and Safety Executive, and other enforcement agencies.

He has vast experience in advising at all stages of proceedings for a wide range of cases, including grave crimes, such as grievous bodily harm, robbery, multi-million pound frauds and insider trading.

Nathan provides defence in all aspects of road traffic matters, including special reasons and exceptional hardship hearings. He is also involved in a variety of cases concerning taxi licensing and alcohol/premises licensing.

Nathan is experienced in advising and providing representation in a variety of regulatory issues, including abatement notices; appeals to the Planning Inspectorate; Environment Agency matters (waste permits etc.); fire authority prosecutions under the Regulatory Reform (Fire Safety) Order 2005; abandoned vehicles under the Refuse Disposal (Amenity) Act 1978.

Nathan also advises on all areas of the regulatory regimes involving heavy goods vehicles, public



Carla Crocombe
Founder & Managing Director, Safety Rocks Ltd

Carla Crocombe is a multi-award-winning entrepreneur on a mission to revolutionise how organisations approach safety training. As Founder and Managing Director of Safety Rocks Limited, she has built a reputation for transforming what was once considered mundane, tick-box safety training into engaging, impactful experiences that genuinely change workplace culture and save lives.



Jane Anderson

Senior Solicitor-Advocate, Woodfines Solicitors

Jane's graduation from Durham University was followed by her qualification as a solicitor in 1996 with Batcheldors, a firm that later merged with Woodfines. In 2005, Jane embarked on a significant career move by joining the First Law Partnership (FLP) to focus on developing her criminal legal aid practice. During her time at FLP, she devoted herself to establishing a strong reputation and client base within the local criminal courts. Jane continued to expand her expertise by attaining her higher rights of audience and by incorporating regulatory law into her areas of specialism.

With her wealth of experience, Jane has diligently developed her practice, regularly representing individuals accused of a diverse range of offences including, sexual offences, violence, serious driving offences, and fraud and representing those investigated and prosecuted for regulatory offences alleging breaches of the law relating to health and safety, trading standards and food safety.



Alex Radley

Barrister, Foundry Chambers

Alex qualified as a Solicitor in 1996. From the beginning of his practice he focused on Criminal Litigation, Road Traffic Law and Regulatory Law cases. In 2008, he gained Higher Rights of Audience as a Solicitor and in 2015, Alex cross qualified to become a Barrister.

Advocacy is a real passion for Alex. He has conducted a large number of trials in the Magistrates Court, Crown Court and Tribunals. He has appeared regularly in the High Court. He has acted for clients in the Criminal Courts on Health and Safety, Trading Standards and Food Safety/ Hygiene cases along with other similar allegations.

In addition to his Criminal practice Alex has appeared in a number of Tribunals including the GMC, Housing, Licensing, Police Federation, CILEx and Sports Dispute Hearings along with a number of others.

During his career, he has represented TV personalities, professional sports stars, business and professional clients. He has appeared on GMTV as a legal expert and frequently appeared on local radio commentating on legal affairs.



Sarah Bell

Traffic Commissioner for London and the South East

Sarah Bell was made a partner at Moore & Blatch Solicitors in May 2003. She headed up the marine department and co-headed the regulatory department.

Sarah Bell was appointed as Traffic Commissioner for the West of England in June 2007 before becoming Traffic Commissioner for London and the South East of England in November 2016.

From 1999 until 2007, Sarah worked representing the interests of haulage operators, their directors and drivers in the criminal courts, at Public Inquiries before Traffic Commissioners and the Upper Tribunal. She also prosecuted complex cases for the Health and Safety Executive.



Caroline Hicks

Head of Regulatory Services, DVSA

Caroline has over 25 years' experience within the DVSA, holding various roles from front line delivery to heading up transformation work, as well as being legally qualified.

With this transformation role, Caroline has responsibility for developing and delivering the vision for enforcement and works in collaboration with all parts of the Agency, transport Industry and all major stakeholders, ensuring that DVSA delivers effective and efficient modernised services. This includes their flagship Earned Recognition scheme and innovative use of ANPR in the Strategic Traffic Management Office.



Phil Breen

Earned Recognition National Account Manager, DVSA

Phil Breen has spent more than two decades with the Driver and Vehicle Standards Agency (DVSA), working across both Testing and Enforcement functions. After several years as a Traffic Examiner, he brought his frontline enforcement experience into leading DVSA's bus compliance work, and he now oversees the agency's flagship Earned Recognition scheme.

DVSA Earned Recognition is a cornerstone of the agency's enforcement strategy and a priority for expansion, as highlighted in the Department for Transport's Road Safety Strategy. By identifying and partnering with operators who can demonstrate consistently high standards, the scheme enables DVSA to focus its resources on those who are seriously or repeatedly non-compliant. This approach strengthens road safety, supports compliant operators, and delivers both cost efficiencies and commercial advantages for scheme members.

The Earned Recognition audit standards provide a clear blueprint for what good compliance looks like across the industry, ensuring that operators, vehicles, and drivers meet the highest safety expectations within our towns and cities. Alongside the core standards, the scheme also includes specialist commercial modules covering areas such as Transport for London (TfL), HS2, LPT2, concrete operations, and the PSV Private Hire sector.

In his current role, Phil is responsible for developing the Earned Recognition scheme and engaging directly with its members. He also works closely with industry to understand emerging technologies and innovations that align with the scheme's ethos of safety and compliance. In addition, Phil promotes the Road to Earned Recognition programme, supporting new operators in establishing strong compliance foundations from day one.



Useful Links & Information

Proposed changes to penalties for motoring offences - read more about it [here](#).

Driver CPC Survey - from 16 February 2026 - 2 March 2026 [complete the survey here](#)

DVSA & HSE Guidance - Securing loads on HGVs and goods vehicles - [read in full here](#)

Footage of lorry crashing into bridge in Berkshire - [watch here](#)

DVSA Road Safety Strategy - [find it here](#)

Our Employment team are now offering **bespoke employment law training**, find out more about what they can help with and the cost [here](#).

An **Employment Support Service** is also available and further information relating to that can be found on our website [here](#).

Woodfines HR Forum - 4th March - [book here](#)

Employment Rights Act – Unfair Dismissal

Overview

The Employment Rights Act 2025 introduces a major reform to Unfair Dismissal law. This change is set to take effect on 1 January 2027, whereby the qualifying period for Unfair Dismissal will reduce from 2 years to 6 months.

Key Statutory Changes

- **Reduction of qualifying period:** Employees will qualify for ordinary unfair dismissal rights after six months' service, rather than two years.
- **Removal of the compensatory award cap:** meaning awards become uncapped from 2027.
- **Written reasons for dismissal:** Qualifying period for written reasons for dismissal also reduces to six months.

These changes significantly increase early-employment dismissal risk for employers.

Implications for Employers

- **Increased Employment Tribunal Exposure**
 - Employers can no longer rely on the former “safe period” of two years. Employees will be protected at six months (less the one week statutory notice period), meaning many employees currently within their first two years will gain newfound rights. Government estimates suggest 6.3 million employees currently sit between six months and two years' service.
- **Higher Financial Risk**
 - Although most tribunal awards fall well below the existing cap, uncapped compensation increases theoretical exposure, especially for senior or specialist roles.
- **Probationary Periods Lose Strategic Value**
 - Probation periods that extend beyond six months no longer offer protection for “risk-free” exit. Even within probation, dismissals must be substantively fair and procedurally sound once six months is reached. Employers who adopt “wait and see” performance monitoring without structured management will be exposed to risk.
- **Greater Need for Early-Stage Performance and Conduct Management**
 - Employers will need to adopt day-one fairness principles: regular reviews, documented feedback, and timely interventions.

Implications for Probationary Periods

- **Shorter Probation Periods**

The traditional three to six-month probation is no longer a buffer from unfair dismissal claims. Employers will need to consider:

- Front-loading induction, training and KPIs, so concerns are identified early.
- Ensuring that any dismissal before six months still complies with fair process, to minimise claims under day-one protections (e.g., discrimination, whistleblowing).

This change will likely increase the number of claims brought by employees, as a larger pool of workers will now be eligible to challenge dismissals. Employers must be prepared for this increase and ensure that their dismissal processes are robust and compliant with the law.

- **More Structured Reviews**

- Probation reviews will need to be more formal, regular and frequent, and better recorded to evidence fairness.

Next Steps for Employers

- **Review and Redraft Probation Policies**

- Policies should be updated to reflect that employees will gain unfair dismissal rights far earlier. Suggested updates include:
 - Clear **probation objectives** and performance standards.
 - Formal **mid-probation** and **end-probation reviews**.
 - Ability to **extend probation** where reasonable and explained.
 - Explicit communication that dismissal decisions must still comply with statutory fairness obligations.
 - Allow appeals, even during probationary periods to reduce the risk of discrimination claims.

- **Strengthen Day-One HR Processes**

- Due to the risk window closing at six months, employers must:
 - Issue clear **job descriptions and expectations** on day one.
 - Provide **early and frequent feedback**.
 - Address **conduct/performance issues** as soon as they arise.
 - Maintain **well-kept** contemporaneous records.

- **Train Managers**

- Managers will need training on the new regime, particularly:
 - Recognising legally fair reasons for dismissal.
 - Understanding the need for fair procedure even during probation.
 - Avoiding behaviours that could give rise to claims for automatically unfair dismissal or discrimination (still day-one protections)

- **Review Dismissal Processes**

- Dismissal templates, checklists, and workflows must be updated to ensure:
 - Documented legitimate reason for dismissal.
 - Fair and reasonable investigation (where appropriate).
 - Opportunity for the employee to respond.
 - Written outcome and right of appeal.

- **Consider Workforce Planning Implications**

- Where employers previously relied on long probation periods for assessing organisational fit, they will need to shift towards:

- Better **pre-recruitment screening** (skills tests, references).
- Improved and early **onboarding support** to reduce performance failures.

Practical Recommendations for Employers to Overcome the Challenges

- **Treat the first 3 months as the “risk management window”.**
Take all key decisions early; if an employee is not meeting expectations, act before month five.
- **Introduce probation review templates and meeting schedules** aligned to weeks 4, 8, 12, and 20.
- **Ensure disciplinary/capability procedures apply to probationers**, albeit in a simplified form.
- **Document every conversation about performance or conduct.** Documentation will be vital for defending early unfair dismissal claims.
- **Avoid automatic long probation extensions;** extensions should be justified with specific evidence.
- **Prepare for the abolishment of the compensatory cap** by strengthening risk assessment in dismissal decisions.

Conclusion

Overall, The Employment Rights Act 2025's reduction of the qualifying period for unfair dismissal claims to six months will require employers to reassess their policies and practices, particularly regarding probationary periods. Employers must ensure that their dismissal processes are fair, transparent, and compliant with the updated legislation to mitigate the risk of unfair dismissal claims. By implementing robust procedures, allowing appeals, and exercising caution in dismissals, employers can navigate the challenges posed by the new legal framework effectively.

DIGITAL TAKEAWAY

The "Peer Credibility" conversation framework tool is part of 7 techniques that can be used to transform safety culture as part of the influence method that works. Why don't you try it for yourself?



Solution Preview: The Influence Method That Works

One Complete Technique with dramatic results
The "Peer Credibility" conversation framework

Situation-Behaviour-Impact-Collaborate (SBIC) model

S Hey Alex, can I talk to you for a moment? This morning, around 10:30, I noticed something when you were in the yard at the east side of the building.

B I saw you climb the ladder to reach the back of transporter, and you didn't have your safety harness clipped on.

I I felt concerned when I saw that because a fall from that height could cause a serious injury. What was going through your mind? Was there a reason you weren't clipped on?

C For everyone's safety, including yours, we really need to make sure everyone is clipped on 100% of the time up there. Can I count on you to do that? If you see an issue with the equipment again, let's fix it right away, together, before you start the task.

This is just **ONE** of seven techniques that can transform safety culture

Vision Casting and the Clear Road Ahead

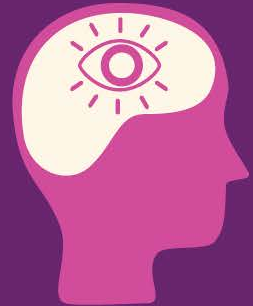
The full technique includes step by step techniques to transform behaviour.

A full insight into behaviours that drive challenging behaviour which ultimately risk everyone's safety.

There are **SIX** additional techniques that can transform safety culture other than what you have here

Companies that have implemented similar techniques have successfully reduced leadership fatigue and dramatically cut incidents, for example, Kinaxia Logistics which saw a 94% reduction in Lost Time Injuries when implementing similar techniques

Most leaders see measurable change within 30 days when they use all seven techniques



REMEMBER - CHANGE IS POSSIBLE



Get in touch with Team Rocks info@safetyrocks.co.uk for more information

Articles - please click on the links

[What business owners, directors and managers must know about regulatory enforcement, investigations and penalties](#)

By Mike Hayward

[Commercial property leases - navigating risks in the logistics sector](#)

By Michael Roche

[Seatbelts - Driving for work](#)

By Mike Hayward & Chris Kenningham

[Mental Health and Wellbeing - supporting your drivers](#)

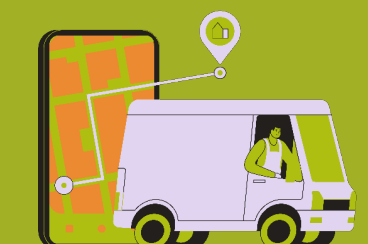
By Mike Hayward for Driving for Better Business

[Legal Insight: Fitness to Drive and Driver Medical Conditions](#)

By Nathan Taylor-Allkins for Driving for Better Business

[The Economic Crime and Corporate Transparency Act: The New Identity Verification Requirements](#)

By Neil Gibbs and Yazmin Elliott





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