

## Nick Elwell-Sutton

Partner

London

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Nick provides responsive, commercially focused legal counsel to businesses navigating employment law challenges. With a deep commitment to practical solutions, he helps clients resolve disputes and achieve their organizational goals efficiently and effectively.

### OVERVIEW

Nick acts for businesses in a wide range of employment and partnership-related disputes, transactions, and advisory matters, often involving multijurisdictional aspects. This comprises strategic advice and planning, as well as operational execution, and typically involves counseling senior management at the board level.

Nick has significant experience in team moves, confidentiality, and business protection matters, as well as advising financial services firms and individuals on the regulatory issues around the SMCR, FCA conduct rules, and remuneration issues. He has extensive experience defending whistleblowing claims. On the transactional side, Nick acts on numerous complex transactions, public, private, and PE, and frequently on cross-border matters.

Nick works extensively with the insurance sector, and he also has wider financial services experience. Other sectors he has worked with are professional practices, including LLPs, luxury brands, and business services.

Nick is a commentator on employment law matters in the press and broadcast media, including on the *ITN Evening News*, BBC, and *The Times*.

### REPRESENTATIVE MATTERS

- Advising a listed U.S. financial services business on historic allegations of sexual misconduct and assault by members of its legal department and on a corresponding SRA complaint and investigation.
- Advising the administrators of Silicon Valley Bank on the employee aspects of the orderly run down of its UK operations following the sale of its assets to HSBC following the bank run on SVB's parent.
- Defending a global tier-one reinsurer on allegations of sexual harassment and pregnancy-related discrimination, including lifetime/career loss valued at more than £5m.
- Acting for an FCA-regulated PE-backed fiduciary and trust business in relation to whistleblowing claims and allegations of sexual orientation discrimination by the former head of its capital markets business valued into seven figures.

- Conducting an external investigation for a listed global luxury cosmetics brand around its HR function and handling of grievances following a whistleblowing/ethics complaint.
- Advising a listed FCA-regulated client on the dismissal of its chair for fraud.
- Acting for a U.S.-listed insurer on its £250m acquisition of a UK-listed insurer to include developing a retention and reward strategy, restructuring its management team, and developing and executing its integration with an existing UK business via a move to a service company operating model together with related redundancies.

## **AWARDS**

- Thomson Reuters Stand-out Lawyer (2023-2025) – independently rated lawyers

## **TOP AREAS OF FOCUS**

- International
- Labor + Employment
- Noncompete + Trade Secrets
- Privacy + Cyber
- Traditional Labor

## **ALL AREAS OF FOCUS**

- Artificial Intelligence
- Bankruptcy + Restructuring
- Employment Counseling
- Global Employment Issues
- International
- Labor + Employment
- Mergers + Acquisitions
- Noncompete + Trade Secrets
- Privacy + Cyber
- Traditional Labor

## **PROFESSIONAL/COMMUNITY INVOLVEMENT**

- Member, Employment Lawyers' Association
- Member, European Employment Lawyers' Association
- Member, International Bar Association

## **EDUCATION AND CERTIFICATIONS**

### **EDUCATION**

- University of London, LL.B.
- London Metropolitan University, Postgraduate Diploma in Legal Practice

### **BAR ADMISSIONS**

- England and Wales

## **SPEAKING ENGAGEMENTS**

- Speaker, “Legal Issues Employers Face in 2023: What you Need to Know,” Locke Lord, February 15, 2023.

## **PUBLICATIONS**

- Author, “U.K. General Election 2024: Labour and Employment Law Proposals,” Locke Lord, June 12, 2024.
- Author, “U.K. Information Commissioner Issues New Guidance on the Use of Biometrics in the Workplace,” Locke Lord, April 2024.
- Author, “U.S.-U.K. Data Transfer Developments,” Locke Lord, December 2023.
- Author, “New Mechanism for Cross-Border Data Transfer: The EU-U.S. Data Privacy Framework,” Locke Lord, December 2023.
- Author, “Lessons From the General Data Protection Regulation on the Sunset of the California Consumer Privacy Act’s Personnel and Business-to-Business Exemptions,” *The Computer & Internet Lawyer*, October 2023.
- Author, “Lessons From the GDPR on the Sunset of the CCPA’s Personnel and B2B Exemptions,” Locke Lord, June 2023.
- Author, “ESG – Workplace Developments in the UK,” Locke Lord, May 2023.
- Author, “UK Non-Compete Changes,” Locke Lord QuickStudy, May 15, 2023.
- Author, “UK Online Safety Bill,” Locke Lord, April 2023.
- Author, “A Review of Planned Changes in UK Employment Law,” Locke Lord, February 2023.
- Author, “UK Independent Contractor Misclassification Issues,” Locke Lord, October 2022.
- Author, “UK Mini-Budget 2022 – Summary of Implications for Employers,” Locke Lord QuickStudy, September 27, 2022.

## **MEDIA COMMENTARY**

- Commentator on employment law matters in the press and broadcast media, including on the *ITN Evening News*, *BBC*, and *The Times*.