



EMPLOYMENT TRIBUNALS

Claimant: Mr P Robinson

Respondent: R Care Procurement Services Limited

HELD AT: North Shields

ON: 22 July 2019

BEFORE: Employment Judge Aspden

REPRESENTATION:

Claimant: In person

Respondent: Mr Coates, director

JUDGMENT

The judgment of the Tribunal is as follows:

1. The claimant entered into, and worked under, a discrete contract with the respondent each time he accepted an assignment from the respondent.
2. The contracts that the claimant worked under were contracts personally to do work. The claimant was, therefore, an 'employee' of the respondent within the meaning of that term in the Equality Act 2010.
3. The contracts were neither contracts of service nor contracts of apprenticeship. The claimant was, therefore, not an 'employee' of the Respondent within the meaning of that term in the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 and the Employment Tribunals Act 1996. The claimant's claim for breach of contract in relation to notice is dismissed as the Tribunal does not have jurisdiction to consider it.

Employment Judge Aspden

Date 23 July 2019

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.