



EMPLOYMENT TRIBUNALS

Claimant: Mr Alan Parkes

Respondent: The Chief Constable of Merseyside Police

Heard at: Liverpool

On: 12 and 13 March 2020

Before: Employment Judge Aspinall
Mrs Eyre
Mrs Williams

REPRESENTATION:

Claimant: Miss Walker, Counsel

Respondent: Mr Tinkler, Counsel

RESERVED JUDGMENT

The judgment of the Tribunal is that:

1. The claimant's claim under Regulation 5 of the Agency Worker Regulations 2010 fails.

REASONS

Background to the claim

2. By a claim form dated 9 May 2018, and having achieved an early conciliation certificate on 1 May 2018, the claimant brought a claim under the Agency Workers Regulations 2010, Wages Act and Working Time Regulations against RACS Group Limited, Servoca Resources Solutions Ltd, Reed Staffing Services Ltd and the Chief Constable of Merseyside Police. Claims against all but the Chief Constable of Merseyside Police were withdrawn on 13 June 2019. The respondent's response form was filed on 26 June 2018.

3. Case management hearings took place on 30th of August 2018, 5 November 2018, 25 April 2019 and on 10 September 2019 before Employment Judge Buzzard at which the claims were clarified.
4. The only claim at final hearing was the claimant's complaint that contrary to his rights under the Agency Workers Regulations, the respondent paid him at a lower rate than a comparator directly employed employee. The claimant is paid at grade E.
5. The claimant identified comparators Mr Hynes and Mr Halliday. The respondent disputes that these individuals, both of whom are employed by the respondent and paid at grade F, are appropriate comparators. The respondent says that the appropriate comparator is someone doing the same job as the claimant but directly employed by the respondent. The respondent says Mr Hynes and Mr Halliday did not do the same job as the claimant.

The Hearing

6. There was an oral hearing in person on 12 and 13 March 2020. That hearing was part heard, with closing submissions listed to resume on 7 April 2020. It was not reasonably practicable due to the pandemic to have a hearing in person on 7 April 2020. At the joint request of the parties' representatives and by direction from Regional Employment Judge Parkin, the parties were invited to make written closing submissions by 4pm on 6 April 2020. The respondent's submissions were received in time, the claimant's were not. A remote deliberation took place between the Employment Judge and Non Legal Members by telephone conference on 7 April 2020.
7. The claimant's closing submissions were received on 9 April 2020 and, in view of the impact of the pandemic on changes to working practices and consequent delay, and in the interests of justice they were shared with the non legal members and further remote deliberation took place on 1 May 2020.

Oral evidence

8. At the hearing on 12 and 13 March 2020 we heard evidence from the claimant, a retired police officer, former Counter Terrorism Detective and former Accredited Financial Investigator at Lancashire Constabulary. He was frank and succinct in the way he gave his evidence. He did not seek to embellish his role but acknowledged which parts of the role he could perform and which parts required an Accredited Financial Investigator.
9. The claimant called the following witnesses who all gave their evidence in a straightforward and reliable way: retired police officer of 30 years service and former Detective Constable in Covert Operations Investigation Stephen McCann, former civilian Accredited Financial Investigator Keith Hynes, former Detective Sergeant seconded to the ACE team Mark Unsworth,
10. Detective Constable Hale, appeared by witness order. He gave his evidence in chief in response to questions from the claimant's representative. He gave his evidence in a clear and succinct way.

11. The respondent called Employee Relations Consultancy Adviser Kerry Brown and Head of Regional Business Support Jen Jackson both of whom gave their evidence in a clear and straightforward way. Retired Detective Sergeant Donna Pearson gave evidence for the respondent. She was the Supervisor for the Regional Asset Recovery Team and within it, the Asset Confiscation Enforcement Team in which the claimant was employed. She gave her evidence in a straightforward way and did not seek to downplay the contribution made by the claimant. She acknowledged that there had been an issue between her and the claimant in relation to his working hours but said that this had not affected her view of the differences in the roles of the claimant and Mr Halliday and Mr Hynes. She accepted that there was some duplication of work between the claimant and the accredited financial investigators but gave detailed examples in her evidence in chief and under cross examination of the differences in the roles.

Documents

12. There was a large bundle of documents presented in two lever arch files with a smaller lever arch file containing witness statements.
13. All of the witnesses had prepared witness statement which stood as their evidence in chief, save for Mr Hale, who appeared by witness order, and gave his evidence in chief in response to questions from the claimant's counsel.

The Issues

14. The parties agreed that the sole issue for determination by the Tribunal was:

If the claimant had been performing the same job that he performed for the respondent and had been recruited by the respondent other than via an agency would he have been entitled to be paid at grade F rates (with particular reference to Mr Halliday and Mr Hynes).
15. They also agreed that the relevant period of work for this claim is from 29 March 2017 up to July 2019, when the claimant became engaged on a fixed term contract.

The Facts

The claimant's background

16. The claimant is a retired police officer. Prior to retirement he worked as a Counter Terrorism Officer and Accredited Financial Investigator for Lancashire Police.
17. The National Crime Agency (NCA) is responsible for the training and accreditation of financial investigators. There are three levels of accreditation, Financial Intelligence Officer, (FIO) Financial Investigator (FI) and Accredited Financial Investigator (AFI) with concomitant levels of authority to act in asset recovery work.

18. Following his retirement in July 2014 the claimant suspended his accreditation with effect from August 2014.

Work in retirement

19. The claimant sought work in retirement through a company, Servoca Limited who supplied him to Reed Staffing Services Limited, who in turn supplied him as an agency worker to work for Merseyside Police.
20. There were other former police officers, not experienced in financial investigation and not former accredited financial investigators who sought out work as financial investigators and were appointed as agency workers to work for NW RART as ACE team financial investigators.

The fraud investigator job title

21. From September 2014 the claimant took up a role initially described as fraud investigator at Merseyside Police as part of the North West Regional Asset Recovery Team (NWRART). In reality, he was never required to work as a fraud investigator because shortly after the claimant took up his role, a new team, the asset confiscation team (ACE) was set up and the claimant agreed to join it.

The reality of the role as an ACE team financial investigator

22. Throughout the relevant period the claimant worked as part of the ACE team. The role of an ACE financial investigator was never clearly codified in any one document. There were agency worker, non accredited ACE team financial investigators that we refer to as FI's in this judgment and there were directly employed ACE team accredited financial investigators that we refer to as AFI's in this judgment.

The role of an Accredited Financial Investigator

23. The ACE team rely upon powers provided under the Proceeds of Crime Act 2002 (POCA) to do their job. Those powers enable "appropriate officers" to make applications to the court and to submit statements in support of those applications to achieve confiscation of assets. Appropriate officers include accredited financial investigators, AFI's. A person can only act as an AFI if they are a police constable or are directly employed by a police force in England and Wales.
24. The claimant, at the relevant period, was neither a police constable, nor directly employed by a police force. Although he had previously been an AFI, and had undertaken training and study and passed exams and engaged in practice and continuing professional development to maintain his accreditation until his retirement, he could not throughout the relevant period act as an AFI.

The objectives of the ACE team

25. In October 2014 Standard Operating Guidance for the Regional Asset Recovery Teams – Asset Confiscation Enforcement Supplement was published. This provided the background, strategy and operating procedures and operational mechanisms for the ACE teams nationally. The Guidance sets out the role of the ACE *team* (our emphasis) not the role nor job description for the ACE team Financial Investigator (FI) nor ACE team Accredited Financial Investigator (AFI).

A draft job description for the FI role

26. In July 2014, long before the relevant period in this claim, a document had been shared with one of the claimant's colleagues, Mr Kehoe, also a FI by email with a title line saying, "ACE investigators, key skills and experience". Within the email the document is described as a job description. The document, which looked like an excerpt from some other document, set out the job purpose, principal accountabilities and knowledge and experience for the ACE FI role.

The Service Level Agreement

27. A Service Level Agreement existed setting out the commitment between the NCA and Crown Prosecution Service. It provided that only AFI's could make applications to the Court and sign off on statements in support of those applications. The rationale for this was because, whilst there might not technically be a statutory breach if the work was submitted by someone other than an AFI, there had been a case in which the police force was found to be in "serious default" and the case had resulted in the force being required to pay significant compensation to someone from whom they had been seeking to recover the proceeds of crime.

The reality of the claimant's role

28. Between 29 March 2017 and July 2019 the claimant's role involved him:
- (1) Making enquiries on matters allocated to him. This was skilled and detailed work. It required the claimant to undertake investigations. He was experienced and highly skilled and did a good job in his investigative work. He could use Experian to do searches.
 - (2) When he had gathered information he prepared the case to go to court. He regularly drafted applications for Orders and the Statements made by the AFI's in support of those applications under relevant legislation. The claimant drafted the above and then passed them to an AFI.
29. The AFI read the paperwork and discussed the case with the claimant. On each occasion the AFI bore responsibility to ensure that the application was evidentially correct, appropriate, necessary, justified and covered the relevant points and referred to any stated cases.
30. In the vast majority of cases the AFI was content with the work undertaken by the claimant and adopted it as his own and made the application to the court.

On rare occasions, the AFI made a suggestion for further investigation or for an amendment to the application or statement.

31. Some of the research work that the claimant was required to do had to be done using databases which we describe as Databases A, B and C. Neither the claimant nor any other non accredited ACE team member had access to those databases and so called on AFI colleagues to do that part of the investigation. There was an AFI (Mr Hynes) who did not regularly use Databases A, B and C because they often crashed on him and he was not comfortable with the technology, he called on an AFI colleague to assist him. He was accredited and could, with technical support had he chosen to take it, have accessed those databases. The claimant could not.

The FI role job evaluation

32. In August 2018 the ACE team FI role was subjected to Hay Job Evaluation. The role scored 220 points which meant that the role was a grade E role within the respondent organisation.
33. The principal accountabilities set out in the job description used in the job evaluation process were:
- a) Ensure the effective identification of enforcement and revisit investigations by liaising with the financial investigator responsible....
 - b) Completing comprehensive financial investigations by gathering information from the various sources they have access to.....
 - c) Identifying financial accounts and other assets linked to revisit subjects and highlighting these two accredited financial investigations staff so that relevant and appropriate action can be taken to further investigate, seize assets under section 47 powers, restrain or forfeit accordingly.
 - d) Produce and submit timely and accurate intelligence reports based on the findings of enquiries
 - e) Assist AFI's by undertaking additional enquiries to facilitate in the making of applications to court, this includes attending court with AFI's
 - f) Undertake prison, home and other similar visits...
 - g) Completion of a thorough and understandable investigative process to enable the matter to be passed onto an accredited member of staff..
 - h) Maintenance of accurate enquiry logs.... detail the actions undertaken and the decision-making process to highlight enquiries completed to date and any assets identified...
 - i) Attend enforcement court to assess whether ACE team involvement can assist the court for any cases previously not referred to ACE....

- j) Liaise with appointed auctioneers to assist in the realisation of assets....
 - k) Provide updates to agencies and forces that have referred cases to the ACE team.
34. The job purpose for the investigator was to “assist in the investigation of assets” and the required knowledge and experience included a section which in response to the question does your post require any police powers and if so what are they and why are they necessary? It stated:
- “No police powers necessary, the post holder will be expected to complete preparatory enquiries and liaise closely with financial investigators”.*
35. The claimant completed (our emphasis) **preparatory** enquiries and **assisted** in the investigation of assets.

The AFI role job evaluation in November 2014

36. The AFI role had been subjected to job evaluation, long before the relevant period in this claim, in November 2014. The job description questionnaire for the AFI role included the following principal accountabilities:
- a) Identify, restrain and confiscate the proceeds of criminal activities... Including the compilation of prosecutors’ statements for presentation to the courts in compliance with the confiscation legislation
 - b) Obtain relevant orders from the courts
 - c) Maintain confidential liaison with banks building societies and other financial institutions and businesses within the regulated sector
 - d) Develop and prepare appropriate financial profiles in consultation with intelligence and Security bureau.
 - e) Maintain liaison with international investigative bodies in respect of criminally derived assets
 - f) Promote and give direction... In respect of the use of financial investigations is a proactive tool
 - g) Identify and disseminate information... In respect of money laundering trends internationally nationally and locally
 - h) Facilitate the civil seizure retention and forfeiture of cash in accordance with Part 5 POCA 2002
 - i) Develop partnerships and work together with partnership agencies
 - j) Provide mentoring to staff in accordance with the national financial investigator training programme.

37. In the knowledge and experience of section, in response to the question does your post require any police powers and if so what are they and why are they necessary? The job description states:
- “Financial Investigator Accreditation ... is required to enable the post-holder to operate under POCA 2002”.*
38. The AFI role evaluation resulted in a score of 282 and that equated to grade F on the respondent job grading system. The difference in scoring between the Grade E and Grade F roles was largely attributable to the different level of responsibility and accountability to the court.
39. From 2018 through to July 2019 the claimant continued to perform the role of ACE financial investigator. The claimant worked alongside other non accredited FI's and AFI's. The directly employed financial investigators were all accredited, AFIs.
40. The main differences between the FI and AFI roles
41. The claimant and his ACE FI colleagues:
- Could not access Databases A, B or C. These contained vital information as to the existence of assets for recovery.
 - Could not speak to the banks.
 - Did not make the decision that a case was ready to go to court.
 - Were not responsible for the format or content of the applications that went forward to the Crown Prosecution Service to be put before the court.
 - Did not make a sworn declaration as to the accuracy of the content of the statements or applications made.
 - Bore no legal responsibility for the outcome of the applications.
 - Were called on to make visits, described by Donna Pearson, as door knocking, that AFI's were not called on to make for resource reasons.
42. There were other investigators working within the respondent organisation, though not within ACE or RART, who were directly employed by the respondent. There were investigators who worked within firearms and CID divisions. They were not doing the same job as the claimant but were working at investigator level within their own specialisms. They were Grade E employees.

The Law

43. The claimant brings his claim under the Agency Worker Regulations 2010.
44. Regulation 5 of the Agency Worker Regulations 2010 provides:

“5. Rights of agency workers in relation to the basic working and employment conditions:

- (1) Subject to regulation 7, an agency worker (A) shall be entitled to the same basic working and employment conditions as A would be entitled to for doing the same job had A been recruited by the hirer—**
 - (a) other than by using the services of a temporary work agency; and**
 - (b) at the time the qualifying period commenced.**
- (2) For the purposes of paragraph (1), the basic working and employment conditions are—**
 - (a) where A would have been recruited as an employee, the relevant terms and conditions that are ordinarily included in the contracts of employees of the hirer;**
- (3) Paragraph (1) shall be deemed to have been complied with where—**
 - (a) an agency worker is working under the same relevant terms and conditions as an employee who is a comparable employee, and**
 - (b) the relevant terms and conditions of that comparable employee are terms and conditions ordinarily included in the contracts of employees, who are comparable employees of the hirer, whether by collective agreement or otherwise.**
- (4) For the purposes of paragraph (3) an employee is a comparable employee in relation to an agency worker if at the time when the breach of paragraph (1) is alleged to take place —**
 - (a) both that employee and the agency worker are —**
 - (i) working for and under the supervision and direction of the hirer, and**
 - (ii) engaged in the same or broadly similar work having regard, where relevant, to whether they have a similar level of qualification and skills; and**
 - (b) the employee works or is based at the same establishment as the agency worker or, where there is no comparable employee working or based at that establishment who satisfies the requirements of sub-paragraph (a), works or is based at a different establishment and satisfies those requirements.**
- (5) An employee is not a comparable employee if that employee's employment has ceased.**

45. Harvey on Employment Law offers commentary on Regulation 5 on the comparator point. It says:

“Paras (1) and (2) allow a hypothetical comparison, looking at what the agency worker would have had the benefit of if taken on permanently.

However, paras (3) to (5) then permit the use of an actual comparator if there is one, this in reality likely to be in the nature of a defence for the agency or hirer.”

46. The Department for Business Innovation and Skills, now BEIS, issued Guidance on the application of the Agency Worker Regulations. That guidance referred to an example of an appropriate comparator where a structured pay scale exists:

“1.139

Even where a structured pay scale exists, there may be dispute over the appropriate point at which an agency worker would have been placed on that scale had he or she been employed directly by the hirer. In *Scott v FRCE Recruitment and ors ET Case No.2300496/17*, for example, the tribunal found that S was not an ‘agency worker’ as defined by Reg 3 and so was not entitled to equal treatment under the AWR. However, in case it was wrong on that point, the tribunal went on to consider who the correct comparator would have been. S was a care worker and he sought to establish entitlement to the terms and conditions of a directly employed care worker on Scale 5. The tribunal rejected this comparison, finding that the appropriate comparison would have been with a Scale 3 employee. Although there was much overlap between Scale 3 and Scale 5 roles, Scale 5 involved duties at a higher level and additional responsibilities which S did not undertake, including home visits, attendance at external meetings and overseeing the work of Scale 3 staff.

There is no need for an agency worker to identify an actual comparator when asserting a right to equal treatment, although the existence of such a person will make it easier to establish a claim.”

47. Regulation 18 provides:

- (8) Where an employment tribunal finds that a complaint presented to it under this regulation is well founded, it shall take such of the following steps as it considers just and equitable —
- (a) making a declaration as to the rights of the complainant in relation to the matters to which the complaint relates;
 - (b) ordering the respondent to pay compensation to the complainant;
 - (c) recommending that the respondent take, within a specified period, action appearing to the tribunal to be reasonable, in all the circumstances of the case, for the purpose of obviating or reducing the adverse effect on the complainant of any matter to which the complaint relates.
- (10) Subject to paragraphs (12) and (13), where a tribunal orders compensation under paragraph (8)(b), the amount of the compensation awarded shall be such as the tribunal considers just and equitable in all the circumstances having regard to —

- (a) the infringement or breach to which the complaint relates; and
 - (b) any loss which is attributable to the infringement.
- (11) The loss shall be taken to include —
 - (a) any expenses reasonably incurred by the complainant in consequence of the infringement or breach; and
 - (b) loss of any benefit which the complainant might reasonably be expected to have had but for the infringement or breach.
- (12) Subject to paragraph (13), where a tribunal orders compensation under paragraph (8)(b), any compensation which relates to an infringement or breach of the rights —
 - (a) conferred by regulation 5 or 10; or
 - (b) conferred by regulation 17(2) to the extent that the infringement or breach relates to regulation 5 or 10,

shall not be less than two weeks' pay, calculated in accordance with regulation 19.
- (13) Paragraph (12) does not apply where the tribunal considers that in all the circumstances of the case, taking into account the conduct of the claimant and respondent, two weeks' pay is not a just and equitable amount of compensation, and the amount shall be reduced as the tribunal consider appropriate.
- (16) In ascertaining the loss the tribunal shall apply the same rule concerning the duty of a person to mitigate loss as applies to damages recoverable under the common law of England and Wales or (as the case may be) the law of Scotland.
- (17) Where the tribunal finds that the act, or failure to act, to which the complaint relates was to any extent caused or contributed to by action of the complainant, it shall reduce the amount of the compensation by such proportion as it considers just and equitable having regard to that finding.

Discussion and Application of the Law

- 48. Everyone agreed that the claimant was an agency worker and the respondent a hirer for the purposes of Regulation 5 of the Agency Worker Regulations 2010 during the relevant period.
- 49. Applying Regulation 5, if the claimant had been directly employed to do the same job, then he would be entitled to the same terms and conditions, in this case Grade F pay, as those directly employed to do the same job.
- 50. There was no one directly employed within RART or ACE to do the same job as the claimant.
- 51. Harvey on Employment Law says that for the purposes of Regulation 5 the claimant is his own comparator. We asked ourselves, would the claimant

have been paid Grade F for doing what he did if he had been directly employed?

52. The claimant argued that Mr Hynes and Mr Halliday did the same job as him. We looked at the component parts of the roles of Mr Hynes and Mr Halliday, the AFI's during the relevant period. We made the factual findings about their roles above.
53. The claimant was doing much of the leg work, valuable work, preparatory and underpinning investigatory work. He couldn't make enquiries on Databases A, B and C and couldn't speak to the banks. What he could do, with support from AFI's, enabled him to prepare applications to the court and statements in support of those applications. As part of the team, he was able to make a vital contribution to asset recovery, but, without the AFI's he could not have made any contribution at all as his investigations would have been seriously deficient (having not checked the databases or gained information from the relevant bank) and the applications and statements in support of the applications could not have been presented to court, no order could be made, no assets recovered. The claimant himself was a credible witness on this point as he took care to amend his witness statement which had said he could (our italics) "*obtain Production Orders*" to say he "*caused Production Orders to be obtained in another person's name*".
54. We were referred to documents including the Hay evaluation but they were not determinative for us, they were descriptive of the roles. The factual reality which was persuasive for us was that the FI's did much of the preparatory and underpinning work (save those bank and database searches) and the AFI's bore the responsibility for scrutinising that work and approving it, adopting it and presenting it to the court in their names. Without the FI's the AFI's would do the preparatory and underpinning investigative work themselves, so there was some overlap in their roles, but without the AFI's the FI's could not have progressed matters and the ACE team objectives could not have been met. The FI's and AFI's performed different roles.
55. Applying the language from Regulation 5 of "same job" and giving it its ordinary meaning, the claimant and Mr Hynes and Mr Halliday were not doing the same job during the relevant period.
56. Alternately, and in his witness statement evidence in chief, the claimant claimed that he was entitled to Grade F pay because he was in a similar role or doing similar work. He said, "I qualified for equal treatment in respect of pay and basic working conditions as a directly employed worker in a *similar role*" and "I was concerned that I was on a lower pay grade than directly employed staff doing *similar work*". He also argued that there were "*significant overlaps*" (our italics) between his work and that of the AFI's Mr Hynes and Mr Halliday who he says were performing "a broadly similar role to myself". This is not the test within Regulation 5. It points to the same job. The claimant's argument that he was entitled to Grade F pay for doing a similar role or similar work must fail.

57. At para 19 of his closing submissions the claimant submitted that he was hired because of his experience and then brought in lower down a pay scale than others doing the same job. He did not establish in evidence that he was recruited because of his experience. We accept the respondent's evidence that it had recruited another ACE team FI with no prior financial experience.
58. We found the case of Scott v FRCE Recruitment and others ET No 2300496/17 which was referred to in the BEIS guidance helpful (though not binding on us) in this case on the pay scale point. Borrowing the language from the Guidance (in italics below), although there was much overlap between the role of the ACE investigator and the AFI, the AFI role *involved duties at a higher level and additional responsibilities* that the claimant did not undertake including accessing the databases, speaking to the banks, being responsible for the applications made to the court and giving evidence in the statements in support of those applications to the court. If the claimant had been directly employed, applying the guidance, we concluded that he would have been placed on the pay scale at Grade E and not Grade F because of those differences in the roles. Our view was reinforced here by our finding of fact that investigators in other divisions, firearms and CID, were recruited and directly employed at Grade E.
59. In his submissions the way the claimant put his case was to say that he should succeed in his claim because the respondent could not show that Mr Hynes and Mr Halliday were not comparable employees and not, quoting from Regulation 5 (3) "engaged in the same or broadly similar work".
60. We reject that formulation of the test before us. It is an invitation for us to deem non compliance, whereas the proper reading would allow us, if the respondent were able to point to a comparator, to deem compliance. The respondent does not say that Mr Hynes and Mr Halliday were comparable employees with the claimant or that the work was the same or broadly similar. The claimant's case here was to say that a defence that the respondent wasn't running, couldn't succeed.
61. The claimant also submitted that an adverse inference should be drawn from the respondent's (ongoing) failure to disclose documents about comparators after the claimant had been engaged for twelve weeks. We reject that invitation. The obligation within the Regulations is to provide information about workers directly employed and doing the same job. Again, the respondent argues, and we found, that the claimant and the Grade F workers were not doing the same job as the claimant.
62. We do not accept the respondent's comparison of the claimant with a trainee solicitor. The claimant was an experienced and expert *former* AFI. The better analogy would have been to say either that the work the claimant did was analogous to that of the work of someone in a paralegal role supporting a qualified person, (which the respondent did go on to say) or that he was analogous to a retired solicitor, no longer on the Roll of Solicitors or bearing Indemnity Insurance or meeting other regulatory requirements to enable him to function as he had done in his former role, but still skilled, experienced,

expert but now having applied for and taken up, and being required to perform in, a more junior role.

63. AFI's were required to bear responsibility and take risk. The claimant had in his former role as an AFI been able to do all of those things. He said in evidence "I had the wherewithal", and it was not disputed that he was capable of performing as an AFI but it was not what he was required to do in his role as ACE team financial investigator for the respondent. He took the role knowing it was not the role of an accredited financial investigator but a more junior role as an ACE investigator and then he pointed to the fact the AFI's were doing some of the ACE investigator work too, to seek to substantiate an argument for Grade F pay. For the reasons set out above in the application of Regulation 5 to the facts in this case as we found them to be, that argument must fail.

Conclusion

64. The claimant's claim under Regulation 5 of the Agency Worker Regulations 2010 fails.

Employment Judge Aspinall

Date: 4 May 2020

JUDGMENT AND REASONS SENT TO THE PARTIES ON
22 May 2020

FOR THE TRIBUNAL OFFICE

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