



EMPLOYMENT TRIBUNALS

Claimant: Mr D Brooks
Respondent: Allocate Software Limited
Heard at: Leicester (remotely via Cloud Video Platform)
On: 3 December 2020 and 11 January 2021
Before: Employment Judge Ahmed (sitting alone)

Representation

Claimant: Mr Sam Healey of Counsel, instructed by Gordons
Respondent: Mr Andrew Smith of Counsel, instructed by Mishcon De Reya

JUDGMENT

The Employment Tribunal Judge gave judgment as follows:-

1. The Claimant was an “employee” of 247 Time Limited since at least 1 November 2016.
2. The Claimant has had continuity of employment with 247 Time Limited prior to 28 February 2018.
3. The Claimant has continuous service in excess of the two-year qualifying period for the purposes of section 108 Employment Rights Act 1996 and thus the tribunal has jurisdiction to entertain a complaint of unfair dismissal.
4. By consent, the full merits hearing listed for 19 - 22 April 2021 is hereby vacated. These proceedings are hereby stayed for a period of 6 months from today, or until any other order, having regard to the concurrent High Court proceedings between the parties. The Claimant shall keep the Tribunal updated on the progress of those proceedings.

Employment Judge Ahmed

Date: 21 January 2021

This was a remote hearing by Cloud Video Platform (CVP) which was not objected to by the parties. A face to face hearing was not held because it was not practicable and no one requested the same. All issues could be determined in a remote hearing.

JUDGMENT SENT TO THE PARTIES ON

22 January 2021

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FOR THE TRIBUNAL OFFICE

Notes

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

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