



Case Number: 3311663/2020 (CVP)

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EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Ms W Sloan

and

Respondent

TBG Flex Limited

JUDGMENT ON A PRELIMINARY ISSUE

Representation

Claimant:

In Person

Respondent:

Mr M Salter, Counsel

Employment Judge Kurrein

Statement on behalf of the Senior President of Tribunals

This has been a remote hearing that has not objected to by the parties. A face to face hearing was not held because it was not practicable and all issues could be determined in a video hearing.

JUDGMENT

- 1 The tribunal has jurisdiction to hear the Claimants claims, she having complied with the early conciliation requirements.

REASONS

- 1 The Claimant started work for the Respondent as a floor manager on 3 December 2019.
- 2 The Respondent is owned by the Barnett Group Limited, which is in turn owned by the London Borough of Barnet.
- 3 The Barnett Group also owns a company, Your Choice Barnet Limited.
- 4 On 18 August 2020 the Claimant started early conciliation naming “Your Choice Barnet” as the prospective Respondent. Early conciliation came to an end the following day.

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- 5 On 14 September 2020 the Claimant presented a claim to the tribunal identifying “TBG Flex Limited (Your Choice Barnet)” as the Respondent.
- 6 The Respondent’s Response took the point that this was a breach of Rule 12(1)(f) of the Employment Tribunal Rules of Procedure 2013.
- 7 It was the Claimant’s case that although she was employed by the Respondent she in fact worked within Your Choice Barnet.
- 8 I have considered the decisions of the Employment Appeal Tribunal in Mist v Derby Community NHS Trust [2016] ICR 543 and Giny v SMA Transport Ltd UKEAT/0317/16.
- 9 The Respondent does not dispute that these proceedings came to its knowledge and that it and Your Choice Barnet are closely linked.
- 10 I take the view that the Claimants error is of a minor nature and that it would not be in the interests of justice for this claim to be rejected.

Employment Judge Kurrein
16 April 2021

Sent to the parties and
entered in the Register on : :

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For the Tribunal

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.