



EMPLOYMENT TRIBUNALS

Claimant: Mr A Whitehead

Respondent: Warwickshire County Council

JUDGMENT

The following allegations which were pursued as allegations of detriment for the purpose of a victimisation claim are struck out as the Tribunal does not have jurisdiction to hear them and therefore they do not have a reasonable prospect of success:

- 1.1.1 Misled the Tribunal [claim 2, para. 9.a.1];
- 1.1.2 Produced a misleading witness statement for the Tribunal [claim 2, para. 9.a.i.2];
- 1.1.3 Denied in representations to the Tribunal that the Claimant had appealed [against his dismissal] and sought that the Claimant be ordered to send copies of his appeal [claim 2, para. 10.b];
- 1.1.1 Deliberately engaged in ex parte correspondence with the Tribunal regarding claim 1305084/2020 and refused to send the Claimant copies of that correspondence. Refused to send copies of documents referred to at the second hearing despite numerous requests [claim 2, para. 10.d];
- 1.1.2 Sent the Claimant an unreadable email attachment just before the first hearing, and further emails after the deadline, giving the Claimant inadequate time to prepare his case. Ignored the Claimant's request for data to be sent pursuant to a Tribunal order, then appeared to seek to ridicule the Claimant [claim 2, para. 10.e];
- 1.1.3 Unilaterally decided that the Claimant had moved address and that the Respondent should contact the Tribunal to ask for the Claimant's address to give the impression that the Claimant was acting mischievously and/or that there were issues with his address for service [claim 2, para. 10.f];

- 1.1.4 Unilaterally decided that the Claimant should accept correspondence by email because it was more convenient for them [claim 2, para. 10.g];
- 1.1.5 Unilaterally decided that, if the Claimant could not initially deal with emails, others who have access should be made to do so [claim 2, para. 10.h];
- 1.1.6 Demanded that the Claimant provide a statement by return, and threatened the Claimant if he failed to comply [claim 2, para. 10.i];
- 1.1.7 Unilaterally decided that the Claimant had breached the Tribunal's orders, contacted the Tribunal to give the impression that the Claimant was acting mischievously [claim 2, para. 10.j];
- 1.1.8 Sought to pressure the Claimant into withdrawing part of his claim 1305084/2020 [claim 2, para. 10.m];
- 1.1.9 Sought to reinvent facts and/or create false or out of context grounds for accusing the Claimant for its failings, and sought that the Claimant assist in undermining aspects of his own claim 1305084/2020 before responding to the amended ET1 [claim 2, para. 10.n];
- 1.1.10 Sought to reinvent facts and/or create false or out of context grounds for accusing the Claimant for its failings and sought to undermine the Claimant [claim 2, para. 10.o].

The claimant's remaining complaints remain listed for hearing starting on 20 September 2021.

Employment Judge Meichen

27 July 2021