

EMPLOYMENT TRIBUNALS

Claimant: Mr A Britten

Respondent: HMPPS (Ministry of Justice)

JUDGMENT

The complaint that the Claimant was unfairly dismissed is struck out.

REASONS

1. The claimant complains of unfair dismissal.
2. Section 108 of the Employment Rights Act 1996 requires a claimant to have not less than two years service to make an unfair dismissal complaint.
3. The claimant was employed by the respondent for less than two years.
4. Therefore the claimant is not entitled to bring such a complaint.
5. The claimant appears to believe that he can claim automatic unfair dismissal because of a disability. This is not correct although he can bring a claim relating to his dismissal under the Equality Act 2010.
6. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaints are not affected by this judgment.

Employment Judge Siddall

Date 17 August 2021