



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S J Engeau Kameni

**Respondent:** Santander Bank Plc

**Heard at:** London Central

**On:** 9 November 2021 & 13  
December 2021 (In  
Chambers)

**Before:** Employment Judge Hill

## REPRESENTATION:

**Claimant:** In Person

**Respondent:** Mr Scott-Joynt (Counsel)

# JUDGMENT

1. The judgment of the tribunal is that the Claimant's claim unlawful deduction of wages has no reasonable prospect of success, and the Tribunal does not have jurisdiction to hear the claim because the Claimant was not an employed by or worked for the Respondent and the claim is therefore struck out.

# REASONS

1. Following a preliminary hearing held on 9 November 2021 the Tribunal reserved its final decision on an application for a strike out and or a deposit order by the Respondent in order to receive written representations from the Claimant who is now living in Cameroon and was unable to participate in the CVP hearing held on 9 November 2021.
2. The record of that hearing should be read in conjunction with this judgment. At that hearing the Tribunal made findings of fact and set out its preliminary conclusions in respect to whether the Tribunal had jurisdiction to hear the claim.
3. Because of the difficulties the Claimant had in attending the previous hearing the Tribunal gave the Claimant an opportunity to make any written representations he wished to make, and to provide any additional information which would demonstrate that the Claimant had worked for the Respondent and was therefore owed any wages.

4. The Claimant provided a written response to the Tribunal's preliminary findings dated 5 November 2021 via email. In his email the Claimant made two concessions:
  - 1) *"I will like you to note that, Miss Shannel of the Nathan Aaron solicitor firm have more information about my history in London where she can confirm that I was a worker at NSL service group and also send further information to you about my Mental health."*
  - 2) *"Santander Bank wasn't my employer but the receiving bank of the salary which was paid via NSLs Bank ....."*
5. The Claimant has therefore confirmed that he was not employed by the Respondent but was employed by NSL Service Group and therefore he has no claim in an employment Tribunal against the Respondent. The Claimant did not provide any evidence to support a claim against the Respondent.
6. The Tribunal finds that if any monies due to the Claimant were withheld, then the correct Respondent should be his employer, NSL. However, the Tribunal notes that the Claimant has already brought proceedings against NSL and a hearing was held on 7 December 2020 where the claim against NSL was struck out as having no reasonable prospect of success because the claim was presented out of time, the claim being submitted on 15 July 2020 almost 7 years after the alleged deduction.
7. For the reasons set out in the record of the Preliminary hearing and upon the claimant providing no further information or evidence that the Respondent was his employer or explanation as to why the Respondent is liable, the Tribunal finds that the Claimant's claim for unlawful deduction of wages has no prospect of success, and that the Tribunal has no jurisdiction to hear the claim.
8. The Claim is therefore struck out under Rule 37 of the Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013 and is dismissed.

Employment Judge Hill  
Date 23 December 2021

JUDGMENT SENT TO THE PARTIES ON: 30/12/2021

FOR THE TRIBUNAL OFFICE

**Note**

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.

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