



EMPLOYMENT TRIBUNALS

Claimant: Mr K Welmant

Respondent: Barchester Healthcare Limited

Heard at: Croydon **On:** 06 September 2022

Before: Employment Judge Barker

Representatives

For the claimant: in person, with the assistance of Ms Bathiche
Kanaan, interpreter

For the respondent: Ms Page, solicitor

JUDGMENT

The claimant's application to amend his claim to add a complaint of direct discrimination on the grounds of race (s13 Equality Act 2010) succeeds.

The claimant was not an employee of the respondent (s230 Employment Rights Act 1996) and therefore the Tribunal does not have jurisdiction to hear his complaints of unfair dismissal or breach of contract. These claims are hereby dismissed.

The claimant's claims relating to protected disclosures and unlawful deductions from wages are unaffected by this judgment and may proceed.

Employment Judge Barker

Date 06 September 2022

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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