

EMPLOYMENT TRIBUNALS

Claimant: Miss K Elliott

Respondent: Guys and St Thomas' NHS Foundation Trust

JUDGMENT

The decision of the tribunal is that:

- 1) the complaint that the Claimant was unfairly dismissed is struck out,
and
- 2) the claims against Sally Archer are dismissed upon withdrawal.

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.
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 31 August 2023