



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms S Lindsay

**Respondent:** NHS England

## JUDGMENT

The claimant’s claim for unfair dismissal is struck out. The claimant may proceed with her claims for race discrimination and unauthorised deduction from wages.

## REASONS

1. The claimant presented a claim form on 4 November 2022. In her claim form the claimant claimed unfair dismissal, race discrimination and an unauthorised deduction from wages claim.
2. The claimant has confirmed she was dismissed on 7 November 2022, after she presented her claim form.
3. A Tribunal cannot accept a claim for unfair dismissal until after a claimant has been dismissed.
4. Therefore the Tribunal does not have jurisdiction to hear the claimant’s current claim for unfair dismissal.
5. The claimant could present a new claim of unfair dismissal or apply to amend her claim to include a new claim of unfair dismissal.

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Employment Judge Isaacson  
15 February 2024

JUDGMENT SENT TO THE PARTIES ON

.....28 February 2024.....

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FOR THE TRIBUNAL OFFICE