



EMPLOYMENT TRIBUNALS

Claimant: Ms Z Dancer

Respondent: HC-One Limited

JUDGMENT

The claimant's application for reconsideration of its decision on her application for interim relief dated 28 March 2025 is refused.

REASONS

The tribunal considers there to be no reasonable prospect of the judgment being varied or revoked.

In an application for interim relief, the tribunal carries out a summary assessment in order to gain an impressionistic feel of the case and the balance of prospects. The tribunal is satisfied that it was able to do so and the claimant is essentially seeking to re-argue her case.

The tribunal had the claimant's bundle before it, which she accepted contained some information which was duplicated in the respondent's own bundle. The claimant had an opportunity to refer the tribunal to any material she wished.

The claimant expressly confirmed that the sole protected disclosure she was relying upon was that made to a director and copied to others on 13 December 2024. In any event, the tribunal did give consideration to the fact that other potential disclosures of information were contained within the grounds of complaint.

A lack of experience in health and safety was raised relating to the reasonableness of any belief held by the claimant in the context of her not working as a frontline care provider.

The reference to length of service was to the burden of proof on the claimant which is different to that applying to an employee who also can bring a claim of ordinary unfair dismissal.

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If the claimant does not believe that she was viewed as a nuisance for making her disclosures, her case on causation is weakened. The tribunal doubted that it would be considered likely that the respondent retaliated towards the claimant arising out of concern at the subject matter being raised by the claimant in her disclosures.

As explained to the claimant, the hurdle is set high for a tribunal to be persuaded that an application for interim relief ought to be granted, not least given the consequences of making such an order. On the tribunal's review of the material before it and to which it was referred, the prospects of success were well short of those required for an order to be made.

Employment Judge Maidment

Date 31 March 2025