



# EMPLOYMENT TRIBUNALS

**Claimant:** Hodan Ibrahim

**Respondent:** Hand in Hand Children Ltd

## RECONSIDERATION JUDGMENT

In accordance with rule 70(2) of The Employment Tribunal Procedure Rules 2024, the Claimant's reconsideration application is refused because the Tribunal considers there to be no reasonable prospect of the original decision being varied or revoked.

## REASONS

1. By way of background and introduction, see the Judgment and Reasons I [Employment Judge Camp] approved on 25 March 2025. (For reasons that are unclear, the Judgment and Reasons was not sent to the parties until 9 August 2025. This is regrettable; and I apologise to the parties for this on behalf of the Employment Tribunals in Birmingham.)
2. The basis of the Judgment was that the only complaint the Claimant was making was one of so-called 'ordinary' unfair dismissal under section 98 of the Employment Rights Act 1996; and that the Tribunal had no power to deal with that complaint because the Claimant was employed by the Respondent for less than 2 years.
3. I refer to the Claimant's reconsideration application of 18 August 2025. In that application, he suggests that (to quote from the covering email): *"I raised safeguarding concerns that fall within protected disclosures under the Employment Rights Act 1996, and I also raise discrimination and victimisation under the Equality Act 2010."*
4. The Claimant did not in his claim form allege he was dismissed for making protected disclosures, nor that he was subjected to discrimination and/or victimisation. He did not make any of those allegations in any correspondence with the Tribunal before I approved the Judgment striking out his claim either. This included correspondence providing additional information about his claim and correspondence with the Tribunal of 6 February 2025 responding to a letter explicitly warning him that the Tribunal was proposing to strike out his claim on the basis that he lacked two years' service. He did not even tick box 10.1 (*"Information to regulators in protected disclosure cases"*) of the claim form. So far as I am aware, there was not the slightest hint from the Claimant that he was

making or might have been wanting to make a protected disclosure, discrimination, and/or victimisation claim before I decided to strike out.

5. Further, the existence of any discrimination or victimisation claim (made under the Equality Act 2010) would be irrelevant to whether an unfair dismissal claim (made under the Employment Rights Act 1996) should be struck out on the basis of lack of 2 years' service.
6. In the circumstances, the decision to strike out the claim the claimant was making was not merely a decision that it was open to me, in my discretion, to make: it was, in my view, clearly the right decision. There is therefore no prospect of me varying or revoking the Judgment.

**Employment Judge Camp**

**Approved on 19 August 2025**