

Case Nos. 1307666/2024, 1307667/2024, 1307668/2024  
1307669/2024, 130670/2024, 130671/2024 &  
1307672/2024



# EMPLOYMENT TRIBUNALS

BETWEEN

**First and Lead Claimant** Ms S White  
**Second Claimant** Mr P Montrose  
**Third Claimant** Mr A Platts  
**Fourth Claimant** Mr A Reece  
**Fifth Claimant** Mr D McSwiggin  
**Sixth Claimant** Mr G O'Connor

AND

**First Respondent** Mitie (Facility Services) Ltd  
**Second Respondent** Vinci Construction UK Ltd

## JUDGMENT MADE AT AN OPEN PRELIMINARY HEARING

HELD AT Midlands West by CVP ON 19 November 2025

EMPLOYMENT JUDGE Gilroy KC

### Representation

**For the Claimants:** Ms S White, also present Mr A Reece  
**For the First Respondent:** Mr M Sellwood (Counsel)  
**For the Second Respondent:** Ms B Balmelli (Counsel)

## JUDGMENT

The Judgment of the Tribunal is as follows:

1. Taking account of the primary time limit and the relevant provisions as to early conciliation, the claims by all Claimants against the Second Respondent are out of time.

2. It was reasonably practicable for the claims against the Second Respondent to be brought in time.
3. The claims against the Second Respondent are therefore dismissed.
4. The claims of each Claimant against the First Respondent being conditional on the Second Respondent being a party to the proceedings, and in the light of paragraph 3 of this judgment, the claims against the First Respondent are struck out as having no reasonable prospect of success within the meaning of rule 38(1)(a) of the Employment Tribunal Procedure Rules 2024.

**Employment Judge Gilroy KC  
25.11.2025**