



EMPLOYMENT TRIBUNALS

Claimant: Mr Faizan Ghanni

Respondent: Royal Mail Group Limited

Heard at: Reading (by video) **On:** 17 December 2025

Before: Employment Judge Gumbiti-Zimuto

Representation

Claimant: In person

Respondent: Mr G Edwards, solicitor

JUDGMENT

The claim is struck out.

REASONS

1. In a claim form presented on 13 May 2025, the claimant stated that he was making a whistleblowing claim including dismissal or any other unfair treatment after whistleblowing. The claimant also stated that he was making another type of claim which the employment Tribunal can deal with.
2. The claimant stated the nature of his claim in the following way:

“Manager Linas Vaiciunas (Mr V) was tasked with fact finding and decision making in my complaint against my attacker Mr F. Mr Manager Linas Vaiciunas (Mr V) knew of the Mr F's guilt and nonetheless decided in his favour. On Appeal Manager Gagandeep Rai (Mr R) decided in my favour.

Mr F should have been dismissed from RMG for his breach but was given a softer discipline. I should have been compensated for the hours of work that I missed due to my resulting psychological illness and missed overtime. I made this clear when I appealed. I did not get any feedback from RMG about my case until I contacted ACAS and wrote to the managers trying to find out what happening in my case. The relevant managers should be instructed to follow RMG policy when they arrive at a decision and should keep the complainant informed and

as is in this matter be compensated forthright when deciding in our favour.”

3. In section 8.2 of the claim form the claimant set out the following:

“I was attacked on 23/04/2024 by Mr Imran F (Mr F) I took this matter to the police. The attack on me by Mr F lasted a good 10 to 12 minutes. He was much bigger than me in stature. The Police sought CCTV footage but this was not provided to the police.

Manager Linas Vaiciunas (Mr V) was tasked with fact finding and giving deciding the outcome of my complaint. Mr F had admitted to assaulting me. Mr V was aware of this admission but decided to Mr F not at fault. I appealed. On the 27th October 2024 Mr Gagandeep Rai (Mr R), a manager decided the appeal in my favour. Mr V did not properly carry out his role. This was clear from Mr R’ s decision.

Mr F should have been given a Conduct Procedure decision, which states that any criminal act against RMG employees and or abusive behaviours to colleagues are deemed serious and will result in dismissal. Mr F was not receiving any dismissal despite being found in breach of the above. Mr F was put on an E learning Course instead.

I made it clear in my appeal to Mr R that I wanted to be reimbursed for the hours of work I missed due to this attack against me by Mr F. That I wanted to be compensated for the overtime I missed. I was unable to go to work because I felt threatened by Mr F. I had developed a psychological illness that rendered me incapable to think clearly and worry about my safety. I had never felt this vulnerable in my life. My wife was expecting our first child at the time, and I was not able to properly participate in my private life. I fell into debt because I could not work. I was not compensated for the resulting illness that was the outcome of Mr F’ s attack on me. I was not supported by RMG, instead Mr F was allowed to get off lightly.”

4. In section 9.2 of the claim form the claimant set out the following:

“According to my contract I lost £397 from 5th July to 16th August 2024, this is regarding sick pay. I lost out on overtime that I would have worked between the same period of time to the amount of £2,559.68. I would not have lost out on this if my matter was dealt with properly. My medical costs were in the region of £30.

Compensation for Injury to feelings. The way I was treated. My complaint being delied (*sic*) for 3 to 4 months. Deliberate decision against me by the first Manager V.

The middle band of £12,100 to to £36,000 is appropriate in my matter because there was a significant one off incident of attack against me that was supported by Manager V. I believe that I should be compensated at the upper of band 2 for my suffering.

I would like to be compensated for the psychological effect this incident had on me. I am still psychologically and have not recovered fully. This illness still affects me today. I feel I should be compensated to the amount of £20,000.”

5. In his claim form the claimant did not make any claim that he was making any complaint under the Equality Act 2010 or any other complaint under the various statutes that set out the matters that come under the jurisdiction of the Employment Tribunal.
6. The case was listed for public preliminary hearing before me at I was to discuss with the parties the following matters:
 - a. To identify the legal and factual issues the Tribunal will be asked to decide;
 - b. To decide whether any of the Claimant’s claims should be struck out as having no reasonable prospects of success;
 - c. To list the case for hearing, if appropriate, and
 - d. To make any further case management orders to progress the claim and the response.
7. During the hearing before me the claimant was acting in person and the respondent represented by Mr Edwards. I commenced the hearing by asking the claimant to set out what he was complaining about. The claimant stated that after being assaulted by a colleague he complained about the assault to Patrick (shift Manager). The claimant was then interviewed by a manager and when he told the manager what happened, i.e. that he was assaulted by his colleague Mr Imran F. The claimant says that he was attacked, threatened and harassed. The claimant seeks to complain about the assault on him by Mr Imran F for which he holds the respondent employer vicariously liable. The claimant says that the respondent has failed to provide a safe workplace; that Mr Imran F admitted his wrong doing; that the case was investigated by the respondent and after an appeal was found in his favour; that there has been no action taken against the attacker; the claimant states that he is being treated very unfairly and the respondent has failed to do what they say in their policy.
8. The respondent contends that the claimant’s case should be struck out because the claimant does not make any claim within the jurisdiction of

the Employment Tribunal. The respondent states that the claimant does not say that the detriment identified in this case was caused by the disclosure. The claimant's case of whistleblowing has no reasonable prospect of success.

9. The respondent says that the correct claim is more like a personal injury type claim.
10. In response the claimant stated that the colleague who attacked him admitted it, that the matter was investigated by the respondent with a finding made in his favour on appeal, and he asks that the claim is allowed to proceed and that I should give case management directions for preparation for a final hearing.
11. My decision is that the claim must be struck out.
12. Section 43B of the Employment Rights Act 1996 sets out disclosures qualifying for protection. Section 47B of the Employment Rights Act 1996 provides that a worker must not be subject to a detriment because of making a protected disclosure
13. The disclosure that the claimant relies on is the complaint that he made to his employer that he had been the victim of an assault by a colleague (the disclosure). The claimant complains that he was assaulted by a colleague, that the respondent has failed to provide him with a safe work environment and that his complaint about the assault by a colleague was not dealt with in accordance with the respondent's policy (the detriments). The claimant does not complain that the reason for the detriments was because he made the disclosure.
14. A claim about whistleblowing has no reasonable prospects of success.
15. The claimant's complaint appears to be a complaint that there is a breach of a contract or alternatively that there is a breach of some other duty owed to the claimant by the employer. The claimant continues to be in employment with the respondent and therefore he cannot make a complaint of breach of contract against the respondent in the Employment Tribunal because an employee can only make a contract claim complaint in the Employment Tribunal where the "claim arises or is outstanding on the termination of the employee's employment".
16. The claimant has not identified any other complaint about a breach of duty that the jurisdiction of the Employment Tribunal has jurisdiction to consider.

Approved by:

Employment Judge Gumbiti-Zimuto

17 December 2025

JUDGMENT SENT TO THE PARTIES ON

....4 February 2026.....

.....
FOR THE TRIBUNAL OFFICE