



EMPLOYMENT TRIBUNALS

Claimant: Mrs S Sibanda
Respondent: Handsale Limited
Heard at: Newcastle Under - Lyme
Method: In person
On: 30 and 31 March 2026
Before: Employment Judge Smart in public

Appearances:

For the Claimant: No attendance but provided written submissions
For the Respondent: Mrs A K Singh (Solicitor)

JUDGMENT OF THE EMPLOYMENT TRIBUNAL WITH SUMMARY REASONS

1. The Claim of defamation is struck out. The tribunal has no jurisdiction to hear that claim.
2. The Claim for a breach of the health and safety Act 1974 is struck out because the Tribunal has no jurisdiction to hear that claim.
3. The claim for breach of the Data Protection Act 2018 is struck out because the Tribunal has no jurisdiction to hear that claim.
4. The Claim for a breach of "Article 6 of the Human Rights Act" is struck out because the tribunal has no jurisdiction to hear that claim either under the European Convention on Human Rights or the Human Rights Act 1998.
5. As an allegation of direct race discrimination, the claim listed at paragraph 2c of the Claimant's draft list of issues is struck out because it has no reasonable prospect of success. The Claimant described a scenario where her black colleague comparator was treated more favourably than she was. That factual allegation

cannot therefore amount to direct race discrimination. It can continue as direct religious belief discrimination and/or harassment.

6. The Respondent withdrew the remainder of its application for a strike out or deposit order for those items that remain in the list of issues.

Order approved by:

Employment Judge G Smart

On 15 April 2026

These written reasons are summary reasons. If any party would like full written reasons they can apply for them in writing within 14 days of the summary reasons being sent to the parties. Public access to employment tribunal decisions: Note that both judgments and full written reasons for the judgments are published in full online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the parties. Recording and Transcription: Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here: <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>