



EMPLOYMENT TRIBUNALS

Claimant: Ms. T Patel

Respondent: Platanos Trust

JUDGMENT

The complaints of unfair dismissal, automatically unfair dismissal (protected disclosure) and protected disclosure detriment are struck out.

The complaint of direct race discrimination continues.

REASONS

1. The Tribunal wrote to the Claimant on 15 January 2025 warning them that the Tribunal was considering striking out part of the claim. This was because it appeared to the Tribunal, applying Rule 38 of the Employment Tribunal Procedure Rules 2024, that, in relation to the complaint of unfair dismissal the Claimant did not have sufficient service to bring such a complaint and in relation to any automatically unfair dismissal (protected disclosure) and protected disclosure detriment complaints there was no reasonable prospect of success as there was no discernible basis in the claim form.
2. The letter gave the Claimant an opportunity to explain why that part of the claim should not be struck out, or to request a hearing at which to do so. The Claimant did not address the content of the letters, but has at a hearing on 3 March 2026, agreed she did not have service and is not pursuing either complaint.
3. I am satisfied that the grounds for striking out that part of the claim under Rule 38 apply, and that it would be in accordance with the overriding objective in Rule 3 to strike out those parts of the claim because there is no reasonable prospect of success.

4. Those part of the claim is therefore struck out. The rest of the claim, namely the direct race discrimination complaint, is not affected by this judgment.

Approved by:

Employment Judge Cawthray
3 March 2026

JUDGMENT SENT TO THE PARTIES
ON
14 April 2026

FOR THE TRIBUNAL OFFICE

P Wing

P Wing