



# EMPLOYMENT TRIBUNALS

**Claimant:** Stacey Simina

**Respondent:** Ann Summers Limited

## JUDGMENT

The claim is struck out.

## REASONS

1. The only complaint presented in this case is of unfair dismissal, but the claimant did not have two years' service at the time of her dismissal.
2. A notice was sent to her on 19 December 2025 asking her to provide any reasons why this complaint should not be struck out. She replied on 28 December 2025 pointing out that she is entitled to pursue claims of breach of contract, whether in relation to her notice pay or the implied term of trust and confidence.
3. However, damages for a breach of contract claim are limited to notice pay, and she has not brought such a claim. Nor has she suggested that she was not paid her notice pay. The implied term of trust and confidence is relevant in cases where someone has resigned in response to such a breach, but the claim presented is about being made redundant.
4. She has also raised the possibility of a whistleblowing claim, on the basis that she raised health and safety concerns on a visit to Brighton shortly before she was placed on garden leave. However, that has not been mentioned in the claim form or Particulars of Claim document. On the information provided, which is limited to a complaint about the unfairness of the redundancy process, two years' service is required.
5. It is unfortunate, and rare, to dismiss a claim without a hearing, but the position is clear and no purpose would be served by continuing proceedings.

Employment Judge Fowell

Date 15 April 2026

JUDGMENT & REASONS SENT TO THE PARTIES ON

25 April 2026

For the Tribunal Office

P Wing