



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Fawad Hassan  
**Respondent:** Golden Tours Limited

## RECORD OF A PUBLIC PRELIMINARY HEARING

**Heard at:** Watford Employment Tribunal (by CVP)  
**On:** 20 April 2026  
**Before:** Employment Judge Alliott

### Representation

**Claimant:** In person  
**Respondent:** Ms Bukola Omotosho solicitor)

## JUDGMENT

The judgment of the tribunal is that:-

1. The claim of unfair dismissal is struck out as it has no reasonable prospect of success.
2. A deposit order is made in relation to the claimant's race discrimination claims (see separate deposit order).

## FULL REASONS

1. This public preliminary hearing was directed by Employment Judge Tynan on 23 September 2025 to determine the following:-
  - "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 prospect of success;
  - c. To decide whether a deposit order should be made on the grounds that the claimant's claims stand little reasonable prospect of success, specifically whether the claim form lacks details from which it might arguably be inferred that the claimant was discriminated against on the grounds of race. If so, the claimant may be ordered to pay a deposit of between £1 and £1,000 as a condition of continuing with the claims;

- d. To list the case for hearing, if appropriate, and
- e. To make any further case management orders to progress the claim and the response.”

### The claimant's claims

2. The claimant accepted that he was an agency worker for the respondent and was employed by Intsol Recruitment Limited. As such, the claimant's claim of unfair dismissal against the respondent has no reasonable prospect of success. In any event, the claimant had less than two years qualifying service. As such, the claimant's claim of unfair dismissal must be struck out.
3. The claimant explained to me the bad treatment that he was complaining about.
4. This case principally involves an incident that took place on 1 December 2024. On that day the claimant reported to the depot at 15.30 hours and drove a bus to the tour start point in London. The claimant was scheduled to begin a tour at about 17.15/17.30 hours. The claimant got to the London tour start point in good time. The claimant is not sure what happened to the bus he drove to the London tour start point and he went to wait in the staff bus.
5. It is the claimant's case that he was called on his phone by a controller called "John". The gist of the exchange was as follows:-  

“Controller: “Where are you”. I want you to do a round, can you start early?”

Claimant: “Do you realise I'm supposed to go out at 17.15/17.30”

Controller: “Do you want to work here or not”
6. The claimant told me that thereafter he hung up and went out of the staff bus to confront the controller. The claimant told me that he challenged the controller as to why he had made that remark. The claimant told me that it did get heated but he did not attempt to attack the controller or hold him back.
7. The incident concluded when the claimant was told to go home. Thereafter, the claimant was not offered any further work with the respondent.
8. The claimant also complains of a previous occasion when he was asked to wait for 10 minutes by the controller having requested the sign off times for previous shifts.
9. The claimant describes his race as Pakistani British and alleges that the respondent company is Indian owned and senior management are 85% Indian.
10. Whilst striking out a discrimination claim is not impossible, the EAT has made clear that it is only in exceptional circumstances that a strike out order would be appropriate.
11. In my judgment, I cannot conclude that the claimant has no reasonable prospect of success.
12. However, on the face of it, and taking the claimant's claim at its highest, he was

asked by the controller to start early, refused, confronted the controller and there was a heated exchange at the very least. In my judgment, his actions provide a plausible potential explanation as to why he was offered no further work with the respondent and, in my judgment, the claimant stands little reasonable prospect of successfully establishing that he was treated badly because of his race. Consequently, there will be a deposit order.

**Approved by:**

**Employment Judge Alliott**

**Date: 6 May 2026**

JUDGMENT SENT TO THE PARTIES ON

7 May 2026

FOR THE TRIBUNAL OFFICE

## **Notes**

All judgments (apart from judgments under Rule 51) and any full written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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:

[www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/](http://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/)