



EMPLOYMENT TRIBUNALS

Claimant: Mr Daniel Roberts

Respondent: Howserv Services Limited

Heard at: Watford via video

On: 13 May 2026

Before: Employment Judge MJ Smith

Appearances

For the claimant: Mr Michael Cook (counsel)

For the respondent: Mr Alexander Elliott (solicitor)

JUDGMENT

The complaint of ordinary unfair dismissal is struck out.

REASONS

1. The claimant and his representatives were informed by the respondent in advance of the hearing that the claimant did not have two years continuous service with the respondent and that the complaint of ordinary unfair dismissal should be dismissed. The claimant's representative was given an opportunity to address the issue with the tribunal at the preliminary hearing. The claimant's representative accepted that the dates of employment were accurate and were less than two years continuous service.
2. 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 that part of the claim. This is because the claimant did not have two years continuous service at the respondent and there is no reasonable prospect of the claimant succeeding in his claim.
3. That part of the claim is therefore struck out. The rest of the claim is not affected by this judgment.

Approved by:

Employment Judge MJ Smith

15 May 2026

JUDGMENT SENT TO THE PARTIES
ON 11 June 2026

FOR THE TRIBUNAL OFFICE