



EMPLOYMENT TRIBUNALS

Claimant: Mr S Ekram

Respondent: East Kent Hospitals University NHS Foundation Trust

JUDGMENT

The complaints that the Respondent subjected the Claimant to detriment on the grounds that he had made one or more protected disclosures, contrary to section 47B of the Employment Rights Act 1996, pertaining to the matters listed below, are dismissed upon their withdrawal by the Claimant:

1. Rashid Zia attempting to publicly undermine the Claimant's clinical judgement on 15 January 2024;
2. Alben Darzicoma (Glaucoma Lead) supporting Mr Zia on 15 January 2024;
3. Mr Zia sent aggressive and unprofessional messages undermining the Claimant's treatment plan for a patient on 30 May 2024;
4. The failure of each of Ms Darzicoma and Melanie Duncan (Service Manager) to challenge the behaviour of Mr Zia on 30 May 2024;
5. The actions of Debbie, a theatre nurse at Buckland Hospital Dover, who displayed aggressive and hostile behaviour towards the Claimant on 11 July 2024;
6. The Respondent's failure to investigate the concerns raised by the Claimant's two Datix reports of 7 August 2024;
7. The Respondent's failure to reply to the Claimant's email of 12 August 2024 to Lorraine Turner (Medical Director) raising concerns that working conditions are extremely unsafe and hostile;
8. The Respondent's failure to reply to, or open a serious investigation report into, or raise a Datix report about, the Claimant's email of September 2024 to Bruce Dong (Consultant Ophthalmic Surgeon and Clinical Lead), Nicola Lindsey (the Department Manager), Melanie Duncan (Service Manager) and Ms Darzicoma raising concerns about

a female patient who, due to administrative oversight, had become bilaterally blind;

9. The Respondent's failure to respond to the Claimant's email of 3 December 2024 to Mr Dong, Ms Lindsey, Ms Duncan and Ms Darzicoma raising concerns about two patients blinded bilaterally due to potentially avoidable causes;
10. The Respondent's failure to investigate, or provide feedback to the Claimant, on the concerns he raised on 18 December 2024 by Datix report about breaches of patient confidentiality and the General Data Protection Regulations;
11. On 5 February 2025, Ms Lindsey sent the Claimant a passive aggressive email criticising the Claimant for cancelling the list;
12. On 7 February 2025, Mr Dong telephoned the Claimant and applied pressure on the Claimant to use a coupling gel that the Claimant had raised concerns about;
13. On 18 February 2025, the Matron of Ophthalmology replied dismissively to the Claimant's Glaucoma Guide to support nurse-led clinics, which the Claimant asked to be verified as part of his clinical contribution to support his application for a Certificate of Eligibility of Specialist Registration (**CESR**);
14. On 24 February 2025, Ms Lindsey and Tracey Fletcher (Chief Executive Officer) sent the Claimant an email implying that the Respondent bore no responsibility for the obstruction the Claimant was experiencing in his CESR verification;
15. The Respondent's failure to act on concerns raised by the Claimant on 19 March 2025, when the Claimant emailed the Respondent's Deputy Medical Director raising patient safety concerns in respect of seven sample patient cases; and
16. The Respondent's failure to reply to the Claimant's email to the Respondent's Deputy Medical Director raising patient safety concerns in respect of seven sample patient cases,

The Claimant's other complaints are unaffected by this judgment.

Employment Judge Ramsden
11 June 2026