



EMPLOYMENT TRIBUNALS

Heard at	Croydon (by video)	On 21 July 2026
Claimant	Ms Ella Buss	
Respondent	Rye HB Ltd	
Before	Employment Judge Eoin Fowell	
Appearances		
Claimant	David Buss, Father	
Respondent	Michala Cutting, Director	

JUDGMENT ON A PRELIMINARY ISSUE

1. The correct identity of the respondent is Rye HB Limited, not Rye hb (hoof).
2. The claimant worked at Hoof restaurant in Rye. That economic entity transferred from The Hoof Burgers Limited to Rye HB Limited on 5 February 2025.
3. The claimant was not dismissed although she was issued with a new contract of employment some time after the transfer. Any purported variation of contract was void under Regulation 4(9) of the Transfer of Undertakings (Protection of Employees) Regulations on 5 February 2025.
4. Accordingly, the claimant's period of continuous service was unaffected and began in 2020. She therefore had the relevant service to bring a complaint of unfair dismissal. That complaint will continue to a final hearing on 4 and 5 October 2027.

Employment Judge Eoin Fowell

Date 21 July 2026

Notes

Full reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. 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:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>