



EMPLOYMENT TRIBUNALS

Claimant: M. Bunglawala

Respondent: Centrica plc

Heard at: Reading (in public; by video)

On: 10 July 2026

Before: Employment Judge S. Matthews

REPRESENTATION:

Claimant: In Person

Respondent: Mr. R. Dennis (counsel)

JUDGMENT

The claimant's application for Interim Relief fails.

REASONS

1. The claimant was employed as a Senior Data Analyst by the respondent from 1 July 2014 to 3 June 2026. He was dismissed for the alleged reason of redundancy.
2. The application before me was the claimant's application dated 10 June 2026 for interim relief. The application was submitted at the same time as the ET1 together with the Particulars of Claim. It relates to the current claim but I also record here that the claimant has another claim against the same respondent (6015333/2026).
3. I had the following documents before me in relation to the claimants' interim relief application:
Claimant's bundle (151 pages)
Claimant's supplementary documents (3 pages)
Respondent's bundle (212 pages)

Claimant's grounds for application

Respondent's grounds for response (in claimant's bundle page 35)

Witness statement of Mr G. Tourmez (14 pages).

4. I did not hear any oral evidence today. Although I have a signed witness statement from Mr Tourmez and have seen the documents the parties wish to rely on for this application they have not been tested in evidence. I rely on their respective stated cases to ascertain the chances of success in respect of the issues in dispute. Necessarily, that requires me to take their positions at face value and where evidence conflicts I need to determine whether that should reasonably be tested before reliance is placed on it.
5. As I have not heard evidence the matters set out in the paragraphs below do not represent my findings of fact but are a summary of the parties' submissions.
6. In summary, to the extent relevant to this application, the claimant relies on alleged Public Interest Disclosures (PIDs) he says he made prior to his dismissal. He says that the sole or principal reason for his dismissal was that he made those disclosures.
7. The claimant's written and oral submissions focused on 3 PIDs (1, 2 and 5). The claim forms in cases 6021345/2026 and 6015333/2026 jointly refer to 5 PIDs. I have focused on the 3 PIDs (1,2 and 5) when reaching my decision today. However my decision not to grant interim relief would remain the same if the claimant relies on the other 2 PIDs because the claimant would be unable to persuade me that he is likely to establish that any of the PIDs were the sole or principal reason for his dismissal.
8. The claimant asserts that because of the PIDs he was given notice of dismissal for the purported reason of redundancy. In summary his case is that it was a 'sham' redundancy. He maintains that there was not a redundancy situation. His grounds for that assertion include not being provided with the business case. He disputes the cost rationale and refers to alleged discrepancies in the documents and Mr Tourmez's witness statement.
9. Counsel for the respondent submitted that the PIDs do not fall within the definition in s. 43(B)(1) Employment Rights Act (ERA) 1996. Moreover the claimant can only show that Mr Tourmez, the dismissing officer, could have known about one of them. That was a reference in a document 6 months prior to the dismissal which Mr Tourmez was unlikely to remember. In counsel's submission the contemporaneous documents show there was a genuine redundancy situation and consultation.

Law

10. Section 129 (1) ERA (Employment Rights Act) 1996 sets out, so far as is relevant to this application, the test for the tribunal when considering an application under s.128 ERA 1996 (emphasis added):

‘This section applies where, on hearing an employee's application for interim relief, it appears to the tribunal that *it is likely that* on determining the complaint to which the application relates the tribunal will find—

(a) that the reason (or if more than one the principal reason) for the dismissal is one of those specified in—

(i) section 100(1)(a) and (b), 101A(1)(d), 102(1), 103 or 103A, or
.....’

11. An application under s. 128 ERA 1996 requires the tribunal to consider whether it is likely that the tribunal will find that the automatically unfair reason for dismissal is established. The task of the tribunal is to carry out an expeditious summary assessment on the material available to it, doing the best it can with untested evidence.
12. The burden of proof in an interim relief application is intended to be greater than that at the full hearing where the tribunal need only be satisfied on the balance of probabilities. The test is not ‘more likely than not’ but something nearer to certainty than mere probability.
13. In cases where the tribunal is faced with a conflicting account of key facts and issues it may conclude that the conflict cannot be resolved at an interim relief hearing. In Parsons v Airplus International Limited EAT 0023/16, an Employment Judge refused the claimant's interim relief application noting that, while some of the disclosures were likely to be found to be protected disclosures, resolution on whether these formed the reason for dismissal was less clear cut. The Employment Appeal Tribunal (EAT) agreed with that approach on appeal (Parsons v Airplus International Limited UKEAT/0023/16/JOJ).
14. A claimant bringing a claim under s.103A ERA 1996 needs to show that the disclosures they allege qualify for protection under the Act. The definition of a qualifying disclosure is set out in s.43B of the ERA 1996:
- ‘(1) In this Part a “qualifying disclosure” means any disclosure of information which, in the reasonable belief of the worker making the disclosure, is made in the public interest and tends to show one or more of the following—
- (a) that a criminal offence has been committed, is being committed or is likely to be committed,
- (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject,

- (c) that a miscarriage of justice has occurred, is occurring or is likely to occur,
- (d) that the health or safety of any individual has been, is being or is likely to be endangered,
- (e) that the environment has been, is being or is likely to be damaged, or
- (f) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.'

15. A tribunal must address whether one or more of the elements set out at s. 43B (1) (a) to (f) are present. If they constitute qualifying disclosures did the claimant make the disclosures in the reasonable belief that they were in the public interest? Even if that is found by the tribunal to be the case were the disclosures the sole or principal reason for the claimant's dismissal?
16. The case of Taplin v Shipman [1979] IRLR 450 provides that the claimant needs to show that he has 'a pretty good chance' of succeeding in proving that the sole, or principal, reason for his dismissal was that he had made one or more protected disclosures. The EAT stated that the bar is higher than 'a real possibility' or 'reasonable prospect' or '51 per cent or better chance of success'.
17. The definition of redundancy is set out in s.139 (1) (b) ERA 1996 and includes the diminishing need for employees to do the available work.

Submissions

18. I received detailed written and oral submissions from both parties. To an extent the parties and particularly the claimant has used this hearing as an opportunity to rehearse their arguments, and the level of detail indicates that the issues cannot be fairly resolved in a hearing of an application for interim relief. The extent of the submissions on whether there was a disclosure of information, whether Mr Tourmez was aware of the alleged disclosures, what his real motivation was and whether there was a genuine redundancy situation alone indicates that both parties have an arguable case that is better resolved at a final hearing.
19. I heard submissions in accordance with the timetable set out in the notice of hearing. Following counsel for the respondent's submissions and the break the claimant asked for the opportunity to address me for a further for 5 minutes which I allowed, taking into account his request for reasonable adjustments.

Conclusion

20. It will be for the respondent to show the reason for dismissal. The respondent relies on documents it says demonstrate that the redundancy was being considered over a relatively long period for reasons completely unrelated to

the alleged PIDs. That evidence has not been tested. I am unable to make a finding on whether there was a redundancy situation today.

21. The claimant argues that Mr Tourmez was aware of the 3PIDs and that was the reason for his dismissal, but he will need to establish that they were PIDs, that Mr Tourmez was aware of them and that was his principal reason for dismissal. He has not been able to point to any documentary evidence that Mr Tourmez was aware of any of the PIDs, save for one. That in itself is not determinative because it was some time before the dismissal and the respondent argues that the nature of it is that Mr Tourmez is unlikely to remember it, let alone be influenced by it. The claimant invites me to infer Mr Tourmez's motivation and that there was not a genuine redundancy situation. I am not able to consider making that inference without hearing Mr Tourmez's evidence.
22. The appropriate test today is whether the claimant has a pretty good chance of succeeding in a s.103A ERA 1996 claim. The burden of proof is on the claimant to show that is the case.
23. It is not possible to determine today that the claimant has a pretty good chance that the alleged PIDs will satisfy all the components of s.43B ERA 1996 or that he has a pretty good chance of establishing that the sole or principal reason for dismissal was the PIDs.
24. Accordingly I do not find that there is a pretty good chance that the claimant will succeed in showing that the dismissal was because of the PIDs and the claimant's application for interim relief fails.

Approved by:

Employment Judge S. Matthews

21 July 2026

Sent to the parties on:

17 August 2026

For the Tribunal:

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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/>