



EMPLOYMENT TRIBUNALS

Claimant: Miss Katie O’Gorman
Respondent: Nicola Storey
Heard at: Newcastle Employment Tribunal via CVP
On: 15th September 2026
Before: Employment Judge Gowland
Representation:
Claimant: In person
Respondent: Did not attend

JUDGMENT

1. The matter concerned whether the claimant was a worker within the meaning of section 230(3)(b) of the Employment Rights Act 1996.
2. The Respondent did not respond to the ET1 or take part in the hearing.
3. The Claimant contends that she provided services personally in relation to cleaning and worked for the Respondent as a worker.
4. The Tribunal heard evidence from the Claimant and considered evidence within the bundle including a statement from Janice Lawson the practice manager of Bevan medical group where the claimant undertook cleaning work
5. The Claimant undertook work for the Respondent from April 2021 to July 2025.

6. There was no written agreement between the Claimant and the respondent.

The claimant confirmed she was asked to clean for the respondent and it was the respondent who asked the claimant to register as self-employed.

7. The Claimant was engaged to undertake cleaning work in residential homes and at GP surgeries.

8. The cleaning of residential homes was carried out on a certain day based on customer preference.

9. The cleaning of GP surgeries was at set times to fit around opening hours and patients.

10. The Tribunal finds that the Claimant was expected to perform the work personally. There was no genuine and unfettered right of substitution.

11. The Respondent exercised a significant degree of control over the manner in which services were provided.

12. The claimant gave clear evidence as to the days and times she was required to work, over which she had no influence.

13. The claimant also confirmed that for the GP surgeries the respondent instructed her on how and where to clean.

14. The Tribunal therefore finds that the Respondent determined:

- The standards of performance required;
- The procedures to be followed;
- The location at which work was performed; and
- The circumstances in which assignments could be accepted or declined.

15. The Claimant was required to comply with the Respondent's policies and operational requirements.

16. The Claimant did not market services to the public generally whilst undertaking this work.
17. The Claimant provided no capital investment and bore no financial risk.
18. Payment was made at a fixed rate determined by the Respondent.
19. The Tribunal finds that the Claimant was not operating a business undertaking on her own account but was working as part of the Respondent's business.
20. The Tribunal is satisfied that the requirement of personal service is established.
21. Looking at the relationship as a whole, the Claimant was in a position of economic dependency and subordination inconsistent with the status of an independent contractor operating a business on her own account.
22. The Tribunal concludes that the Claimant was therefore a worker within the meaning of section 230(3)(b) Employment Rights Act 1996.
23. The claimant provided evidence of monies received and of those that remained due dating from July 2025.
24. Due to the level of yearly earnings, the claimant did not pay tax or national insurance.
25. The tribunal therefore award the net sum of £1147.04 as set out in the ET1.

Employment Judge Gowland

Date: 15 September 2026