Case Number: 6025549/2026

EMPLOYMENT TRIBUNALS

Claimant: Mr A Blunt

Respondent: Perspectum Ltd

Heard at: Reading (by video) **On:** 14 August 2026

Before: Employment Judge Hawksworth

Appearances
The claimant: represented himself
For the respondent: Mr T Ogg (counsel)

JUDGMENT was given to the parties on 14 August 2026 and written reasons were requested by the claimant in accordance with rule 60(4B) of the Employment Tribunals Procedure Rules 2024. The following written full reasons are provided under rule 60(4E).

FULL REASONS

1. Judgment and oral summary reasons were given at the hearing on 14 August 2026. The written judgment was approved by me on 17 August 2026 and sent to the parties on 26 August 2026. The claimant requested written reasons by email on 27 August 2026.

2. I have decided that it is appropriate to provide written full reasons under rule 60(4E) of the Employment Tribunals Procedure Rules 2024.

Introduction

3. The claimant was head of estates for the respondent until his summary dismissal on 1 July 2026. He presented his ET1 claim form on 8 July 2026. He says he was unfairly dismissed contrary to section 103A of the Employment Rights Act 1996 and he has made an application for interim relief.

4. The purpose of this hearing was to determine the interim relief application. The hearing was by video. The claimant represented himself with support from a friend. The respondent was represented by counsel, Mr Ogg.

5. For the hearing the respondent helpfully provided an electronic bundle with 308 pages. The bundle included witness statements by Lisa Lavera and Rob

Edgington for the respondent, and by the claimant and Louise Bridge.

6. Both the claimant and Mr Ogg prepared written submissions.

7. At the start of the hearing I explained the test that I apply when I am considering whether to grant interim relief. I explained the legal principles in respect of protected disclosures and unfair dismissal for making protected disclosures. I explained the procedure as set out in the Presidential Guidance on interim relief applications. I said would read the documents the parties took me to in the bundle, including the witness statements, but I would not hear any witness evidence.

8. After the initial discussion, I took about an hour for reading. Both parties then made submissions on the interim relief application for 30 minutes each, starting with the claimant. The claimant had an opportunity to reply after the respondent's submissions. The parties made their submissions by talking through their written submissions. I am grateful to Mr Blunt and Mr Ogg for their assistance and their compliance with the agreed timetable.

9. I then took some time to consider the application and the parties' submissions. After that break, I told the parties my decision and explained my reasons for it.

The claimant's submissions

10. The claimant says that he made four protected disclosures, on the following occasions:

    a. PD1 – by providing a CCTV recording to the police on 20 March 2026;

    b. PD2 – in an email to Mr Edgington, the respondent's finance director, made on 3 June 2026 at the start of the claimant's disciplinary hearing;

    c. PD3 – in a report to the Solicitors Regulation Authority about the respondent's general counsel, made on 23 June 2026;

    d. PD4 – in an email to the board of the respondent made on 17 June 2026.

11. He says that the disclosures were qualifying disclosures because he reasonably believed:

    a. he disclosed information which tended to show that a miscarriage of justice was occurring, that the respondent was potentially doing something criminal because it had made a false report to the police and/or that officers or employees of the respondent had breached their legal obligations; and

    b. that the disclosures were made in the public interest.

12. He says that the qualifying disclosures were protected disclosures because:

    a. PD1 - met the conditions required by section 43G, having been made to the police because he thought the evidence could be concealed or

destroyed if he made the disclosure to his employer;

b. PD2 - was made to his employer;

c. PD3 - was made to a prescribed person, the SRA;

d. PD4 – was made to the board of his employer.

13. He says that the disclosures were the reason for Mr Edgington's decision to dismiss him. He relies on the fact that Mr Edgington says that the reason for dismissal was that the claimant 'downloaded CCTV without the respondent's awareness'. The claimant says this is his protected disclosure, PD1. He says that the policy breaches the respondent relies on to justify his dismissal are all connected with the disclosure of the CCTV.

The respondent's submissions

14. Mr Ogg said that the dismissal had nothing to do with an alleged protected disclosure. He said the reason for the dismissal was the claimant's conduct, namely his disclosure of confidential information about other employees and his disclosure of the CCTV recording to the police without the respondent's authorisation.

15. Further, Mr Ogg said the dismissals are not qualifying or protected disclosures in any event.

The law

16. At the hearing, I did not read out the statutory provisions. Instead, at the start of the hearing and in the reasons I gave at the hearing, I gave a summary of the legal principles, as included below. In these full reasons, I include the statutory provisions as well.

Statutory provisions

17. The statutory provisions relating to interim relief are set out in sections 128 and 129 of the Employment Rights Act 1996. Section 128(1) says (as far as is relevant to this case):

> **"128 Interim relief pending determination of complaint**
>
> (1) An employee who presents a complaint to an employment tribunal that he has been unfairly dismissed and -
>
> (a) that the reason (or if more than one the principal reason) for the dismissal is one of those specified in -
> i) …section 103A…
>
> may apply to the tribunal for interim relief."

18. Section 129(1) explains the test to be applied when considering an application for interim relief:

> **"129 Procedure on hearing of application and making of order**
>
> (1) 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 (of if more than one the principal reason) for the dismissal is one of those specified in –
> i) …section 103A…"

19. Section 103A says:

> **"103A Protected disclosure**
>
> An employee who is dismissed shall be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that the employee made a protected disclosure."

20. Sections 43A and 43B of the Employment Rights Act define protected disclosures:

> **"43A Meaning of "protected disclosure"**
>
> In this Act a "protected disclosure" means a qualifying disclosure (as defined by section 43B) which is made by a worker in accordance with any of sections 43C to 43H.
>
> **43B Disclosures qualifying for protection**
>
> (1) In this Part a "qualifying disclosure" means any disclosure of information which, in the reasonable belief of the worker making the disclosure, 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, or is likely to be deliberately concealed…"

21. Sections 43C to 43H explain the circumstances in which a qualifying disclosure is a protected disclosure.

22. Section 43C is about disclosure to the employer or other responsible person. It

says:

> **"**(1) A qualifying disclosure is made in accordance with this section if the worker makes the disclosure —
>
> (a) to his employer…"

23. Section 43F provides for disclosure to a prescribed person. Police forces are not prescribed persons for this purpose. The Solicitors Regulation Authority is a prescribed person as of 2 June 2026.

24. Section 43G provides for disclosure in other cases. It says (as far as material):

> "(1)A qualifying disclosure is made in accordance with this section if—
>
> (a) the worker reasonably believes that the information disclosed, and any allegation contained in it, are substantially true,
> (b) he does not make the disclosure for purposes of personal gain,
> (c) any of the conditions in subsection (2) is met, and
> (d) in all the circumstances of the case, it is reasonable for him to make the disclosure.
>
> (2) The conditions referred to in subsection (1)(d) are—
>
> (a) that, at the time he makes the disclosure, the worker reasonably believes that he will be subjected to a detriment by his employer if he makes a disclosure to his employer or in accordance with section 43F,
> (b) that, in a case where no person is prescribed for the purposes of section 43F in relation to the relevant failure, the worker reasonably believes that it is likely that evidence relating to the relevant failure will be concealed or destroyed if he makes a disclosure to his employer, or
> (c) that the worker has previously made a disclosure of substantially the same information—
> (i) to his employer, or
> (ii) in accordance with section 43F.
>
> (3) In determining for the purposes of subsection (1)(e) whether it is reasonable for the worker to make the disclosure, regard shall be had, in particular, to—
>
> (a) the identity of the person to whom the disclosure is made,
> (b) the seriousness of the relevant failure,
> (c) whether the relevant failure is continuing or is likely to occur in the future,
> (d) whether the disclosure is made in breach of a duty of confidentiality owed by the employer to any other person,
> (e) in a case falling within subsection (2)(c)(i) or (ii), any action which the employer or the person to whom the previous disclosure in accordance

with section 43F was made has taken or might reasonably be expected to have taken as a result of the previous disclosure, and

(f) in a case falling within subsection (2)(c)(i), whether in making the disclosure to the employer the worker complied with any procedure whose use by him was authorised by the employer."

Summary of legal principles

25. The application for interim relief is made under sections 128 and 129 of the Employment Rights Act. The test I have to apply is whether the claimant's claim of whistleblowing unfair dismissal is likely to succeed. Likely here means that the claimant has 'a pretty good chance' of success at the full hearing (Taplin v C Shippam Limited [1978] IRLR 450 (EAT), Dandpat v University of Bath and another UKEAT/0408/09).

26. It is important to emphasise that this is a high threshold. It is a higher degree of likelihood than if I were to consider whether it was 'more likely than not' that the claim would succeed (Wollenberg v Global Gaming Ventures (Leeds) Ltd EAT 0053/18). The threshold is high for policy reasons, as the consequences that follow for an employer if interim relief is granted are significant, as Mr Ogg has highlighted.

27. I have to consider whether the claimant has a pretty good chance of success on all of the required elements of the claim, that is all of the points that will have to be met in order for the claim to succeed. The essential elements for a complaint of whistleblowing unfair dismissal to succeed are as follows:

    a. As to whether there was a qualifying disclosure, the questions I have to consider are as follows. First, was there was a disclosure of information? Second, did the claimant believe that the disclosure tended to show a relevant failure, that is one of the six types of wrongdoing that are set out in section 43B. Third, if he did believe that, was the claimant's belief reasonable? Questions four and five relate to the public interest: did the claimant believe that the disclosure of information was made in the public interest and, if so, was his belief reasonable?

    b. If there was a qualifying disclosure, was it made within one of sections 43C to 43H, such that it was a protected disclosure?

    c. If those elements are met such that it seems to me that there is a pretty good chance of the claimant establishing that he made one or more protected disclosure, I also need to consider whether there is a pretty good chance of the claimant showing that one or more protected disclosure was the sole or principal reason for the dismissal. This would mean that there would be a pretty good chance of showing that the dismissal was automatically unfair under section 103A.

28. Those are the legal tests that I have to apply. I have to make an 'expeditious summary assessment', doing the best I can with the untested evidence advanced by each party, of whether the claimant is likely to succeed (London City Airport Ltd v Chacko [2013] IRLR 610 (EAT)).

Conclusions

29. The claimant made his application for interim relief within the required 7 day time period.

30. When considering the application for interim relief I have to carry out a summary assessment as to how the claim looks on the material that I have been given. I have not heard any oral evidence, we have not had any cross examination or testing of witness evidence, and I am not undertaking a fact-finding exercise. I make a broad assessment based on the information that I have been shown and the submissions that I have heard from the parties. I have to consider whether the claim has a 'pretty good chance' of success, a higher threshold than whether the claim is more likely than not to succeed.

31. What I am setting out now is the gist of my reasons for this decision, this is appropriate where I am looking at an interim matter rather than a final judgment.

32. I have decided that the application for interim relief has not succeeded. On my summary assessment today, it does not appear to me that I can say the claimant has a pretty good chance of succeeding with his complaint of whistleblowing dismissal to the high threshold required in this type of application. Just to be very clear, this does not mean that the claim stops. The complaints of unfair dismissal will carry on, to be decided at the main hearing.

33. As I explained in my summary earlier, I make a broad assessment of whether the claimant has a pretty good chance of succeeding in establishing all the required elements of the claim.

34. The four disclosures Mr Blunt says he made are set out above. The parties broadly agree about the chronology of dates in relation to the disclosures and the disciplinary proceedings. They are as follows:

Date	Event
18 March 2026	Dr Banerjee visited R's offices
20 March 2026	C provided a copy of CCTV recording of 18 March to the police (PD1)
28 April 2026	R received information that C had shared confidential information with other employees and this triggered an investigation
11 May 2026	C was suspended
12 May 2026	R was aware of the disclosure of CCTV by C to the police
15 May 2026	A formal investigation hearing took place.
3 June 2026	C made alleged PD2 to R at the disciplinary hearing
17 June 2026	C made alleged PD4 to R's board
23 June 2026	C made alleged PD3 to SRA

35. In summary, there are three main reasons why I have reached my decision.

36. First, looking at the chronology, the focus is really on the first alleged disclosure, PD1, because that was the only alleged disclosure made before the

respondent started an investigation relating to the claimant's conduct. I will come back to this again because it also relates to the question of whether a protected disclosure was the reason or principal reason for the dismissal.

37. As the focus is on PD1, it is important to assess whether it is likely that a tribunal will decide that PD1 was a qualifying and protected disclosure. PD1 was the sending of the CCTV recording by the claimant to the police.

38. The method of this disclosure and the tests the claimant will have to satisfy to show that this was a protected disclosure are such that I cannot conclude that it meets the required test of likelihood. Even if the disclosure is a qualifying disclosure, it will not be straightforward for the claimant to show that it is a protected disclosure. Disclosures to an employer under section 43C are fairly straightforward – this element of the test can be satisfied simply by showing that the disclosure was made to an employer, for example by email or in a conversation with a manager.

39. Disclosure under section 43G, which the claimant relies on here, is much more complex. There are four conditions which the claimant will have to satisfy, and therefore additional hurdles for him to surmount to show that there has been a protected disclosure. He will need to show that:-

    a. he reasonably believed that the information disclosed, and any allegation contained in it, was substantially true;

    b. he did not make the disclosure for purposes of personal gain;

    c. one of the conditions in subsection (2) is met, here he relies on a reasonable belief that evidence would be concealed by his employer; and

    d. in all the circumstances of the case, it was reasonable for him to make the disclosure.

40. On the basis of the information the parties have presented, it is not clear that the claimant will be able to show that these conditions are all met. I am not saying that the disclosure is not protected under section 43G, or that it will not be found to be protected under section 43G. Rather, I am saying that, given the complexity of this route to show a protected disclosure and the information I have seen, I cannot say at this stage that it is likely that the claimant will be able to meet the required threshold of likelihood to show that all of these conditions are met and that PD1 was a protected disclosure.

41. The second aspect of the claim in respect of which I cannot say that the required threshold of likelihood is met is the question of causation, by which I mean the question of whether a disclosure was the reason or principal reason for the dismissal. This is because:

    a. There is no dispute that PD1 was the only one of the alleged disclosures which pre-dated the start of the process which led to dismissal. While it is not impossible that one or more protected disclosure made during a disciplinary process could be the reason for the outcome of that process,

it seems to me much more likely that a tribunal would conclude that a disclosure made after the investigation and disciplinary process had already started was not a cause of the ultimate outcome of it.

b. The respondent says that its decision makers did not become aware of PD1 until 12 May 2026. The claimant does not have any compelling reason to suggest that the respondent became aware of PD1 any earlier. He says that 12 May is the first date from which it is 'unarguable' that the respondent knew about PD1. That was part way through the disciplinary process, after the initial investigations and the suspension of the claimant. Again, it seems unlikely to me where the disciplinary process started before the disclosure, that a tribunal will find the disclosure to be the cause of the dismissal.

c. The tribunal will be conducting an analysis of the thought processes of the respondent's decision makers. From this chronology, it does not look likely in the required sense that a protected disclosure was the reason or the principal reason for the decision to dismiss the claimant. Of course, evidence may emerge at the hearing which casts this in a different light, and there may be arguments about actors directing things in the background along the lines of what happened in the case of Jhuti v Royal Mail Limited. But at present, for the purposes of my assessment, the chronology does not suggest to the required degree of likelihood that a protected disclosure caused the dismissal.

42. The third reason is that the respondent has identified other apparently good reasons for the dismissal, namely the conclusions it reached about the claimant's conduct. As the Presidential Guidance on interim relief applications says:

> "If an employer identifies an apparently good reason for dismissing the claimant that is unrelated to a protected disclosure, this is usually something the tribunal will need to decide at the final hearing on the basis of full evidence. It is difficult to see how the claimant will show that they have a pretty good chance of success, unless they have clear evidence that this was not the real reason."

43. My assessment is that the conduct reasons relied on by the respondent are likely to be accepted by the tribunal as distinct or separate from the disclosure of the CCTV recording (if that is found to be a protected disclosure). The respondent relies on its clear instructions to staff about contact with Dr Banerjee, the claimant's use of his personal not work email to communicate with the police, and the claimant's failure to obtain authorisation when sending the CCTV recording.

44. The claimant has not provided sufficiently clear evidence to challenge what the respondent says. On the basis of the information I have seen, I think it is likely that a tribunal will accept that it was the claimant's conduct at the relevant times (including the manner in which he disclosed the CCTV recording without authorisation rather than the disclosure of the CCTV recording itself) which was the reason or principal reason for the dismissal.

45. In summary, there are three key reasons which have led me to conclude that the required threshold of likelihood is not met:

    a. The claimant faces additional hurdles to show that he made a protected disclosure, given the complexity of section 43G, and it is not clear that he will be able to meet these;

    b. The chronology does not support the claimant's argument that the disclosures he made were the reason for dismissal, because they were made after (or the respondent became aware of them after) the start of the investigation and disciplinary process which led to dismissal;

    c. The respondent has put forward apparently cogent alternative reasons for dismissal and the tribunal may well accept these as the real reasons for dismissal, and as separate from any protected disclosures.

46. For these reasons, the application for interim relief does not succeed.

47. At the end of the hearing we had a discussion about the other legal complaints which the claimant has included in his claim form, in respect of which he has not obtained an Acas early conciliation certificate. That discussion is recorded in a separate case management order which was sent to the parties on 26 August 2026.

Approved by:
Employment Judge Hawksworth

Date: 29 September 2026

Sent to the parties on:

9 October 2026

For the Tribunals Office

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