



EMPLOYMENT TRIBUNALS

Claimant: Mr L Mbuisa

Respondent: 1. Cygnet Health Care Limited
2. Caireach Limited

Heard at: Leeds (by video) **On:** 21 June 2022

Before: Employment Judge Knowles

Representation

Claimant: In person

Respondent: Ms Niaz-Dickinson, Counsel

JUDGMENT UPON HEARING A PRELIMINARY POINT – EMPLOYMENT STATUS

The Judgment of the Tribunal is that:

1. The Claimant was not an employee of either of the Respondents for the purposes of Section 230 of the Employment Rights Act 1996.
2. The Claimant was not an employee of either of the Respondent's for the purposes of Section 3(a) of the Employment Tribunal's Extension of Jurisdiction (England and Wales) Order 1994 and was not employed under a contract of employment for the purposes of Section 3(2) of the Employment Tribunals Act 1996.
3. The Tribunal does not have jurisdiction to hear the Claimant's claims of unfair dismissal and breach of contract.
4. The Claimant's claims of unfair dismissal and breach of contract are dismissed.

Employment Judge Knowles

21 June 2022