



# EMPLOYMENT TRIBUNALS

**Claimants:** (1) Mrs Pamela Reynolds  
(2) Mr John Reynolds

**Respondents:** (1) Fordbank Limited  
(2) Mr Andrew Reynolds

## JUDGMENT & ORDER & REASONS

1. The following complaints are **struck out** on the grounds that they have no reasonable prospects of success and/or, in case of the complaints relating to regulations 10 and 11 of the Working Time Regulations 1998, that they appear to be an abuse of process:
  - 1.1 all and any complaints against the second respondent [Andrew Reynolds] with the exception of a complaint that the second respondent (and through him the first respondent) subjected the first claimant to a detriment for making a protected disclosure by causing solicitors to send her a letter dated 17 June 2022;
  - 1.2 all and any complaints under or relating to the National Minimum Wage Act 1998 apart from the claims for underpaid wages that are being made as claims for unauthorised deductions from wages under the Employment Rights Act 1996;
  - 1.3 all and any complaints under the Working Time Regulations 1998.
2. The reasons for these complaints having no reasonable prospects of success were set out in the written record of the preliminary hearing that took place on 15 February 2022, which was sent to the parties on 1 March 2023, which contained a proposal to strike out. The claimant was given until 11 March 2023 to raise any objections to the proposal to strike out and has not raised any.
3. The complaint that the first and second respondents subjected the first claimant to a detriment for making a protected disclosure by causing solicitors to send her a letter dated 17 June 2022 has little reasonable prospects of success.
4. The reasons that complaint has little reasonable prospects of success are: that the alleged protected disclosure relied on consists of the first claimant, Company Secretary of the first respondent, complaining about her own pay to the second respondent, a director of the first respondent and her brother-in-law; and in those circumstances she is very unlikely indeed to persuade the Tribunal at any final

hearing both that she believed she was making any such disclosure in the public interest and that any such belief was reasonable.

5. The written record of the preliminary hearing of 15 February 2023 contained a proposal to make a deposit order in relation to the complaint referred to in paragraph 3 above. The first claimant was given until 11 March 2023 to provide: any objections she had to that proposal; if she wanted the Tribunal to specify that the amount of any deposit order should be less than £1,000, full details of her income and expenditure, with corroborative documentary evidence. Nothing has been provided in this respect.
6. The first claimant is therefore ORDERED to pay a deposit of **£1,000** on or before **17 April 2023** as a condition of being permitted to continue to advance the complaint referred to in paragraph 3 above.
7. The first claimant must by **18 April 2023** notify the Tribunal and the respondents whether or not she has paid the deposit.

22 March 2023

Employment Judge Camp