



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss S Fox

**Respondent:** Ministry of Defence

## JUDGMENT

The complaints of

- **breach of the Data Protection Act 1997,**
- **breach of the public sector equality duty in s.149 Equality Act 2010 and**
- **pay discrimination on the basis of membership of the RICS**

are struck out under rule 38 Employment Tribunal Procedural Rules 2024 because the Tribunal has no jurisdiction to consider them.

## REASONS

1. By a letter dated 12 December 2024 the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the above complaints should not be struck out because the Tribunal does not have jurisdiction to consider them.
2. On 31 December 2024, the claimant responded and confirmed that she had not intended to make complaints under the Data Protection Act 1997, for breach of the public sector equality duty under s.149 Equality Act 2010 or for pay discrimination.
3. Notwithstanding that confirmation, in the interests of clarity, any such claims are struck out.
4. The claimant was also asked to explain why complaints of unlawful acts within ss.111 & 112 EQA should not be struck out. The claimant referred to the ET1 in Case No: 3302149/2024 presented on 16 February 2024 and to her proposed amended particulars of claim.

5. It is in accordance with the overriding objective of dealing with cases in ways which are proportionate to the complexity and importance of the issues and ensuring that the parties are on an equal footing that the question of whether those complaints should be struck out be decided at a hearing. That issue will be considered at the preliminary hearing on 27 & 28 May 2025 because of the overlap with the application to amend the consolidated claim.
6. All other complaints remain listed for that hearing.
7. I will respond separately to the claimant's application for reasonable adjustments in respect of the hearing on 27 & 28 May 2025 and to vary the orders sent to the parties on 12 December 2024.

Approved by:

Employment Judge George

31 January 2025

JUDGMENT SENT TO THE PARTIES ON

07/02/2025

FOR THE TRIBUNAL OFFICE