



EMPLOYMENT TRIBUNALS

Claimant

Dr M O M Mahgoub

Respondent

v

(1) North West Anglia NHS
Foundation Trust;
(2) Callum Gardner; and
(3) Dr Cheryl Palmer

Heard at: Cambridge

On: 4 October 2024

Before: Employment Judge Tynan (sitting alone)

Appearances

For the Claimants: Ms E Darlow Stearn, Counsel

For the Respondent: Mr J Feeny, Counsel

JUDGMENT ON PRELIMINARY ISSUE

With effect from 16 March 2023 the Claimant was an employee of the Respondent within the meaning in Section 230 of the Employment Rights Act 1996, as he had entered into a contract of employment with the Respondent. The Tribunal therefore has jurisdiction to determine the Claimant's complaint that he was unfairly dismissed pursuant to section 103A of the Employment Rights Act 1996 because he made a protected disclosure.

Employment Judge Tynan

Date: 6 November 2024

Sent to the parties on: 8 November 2024

For the Tribunal Office

Note:

Reasons for the Judgment having been given orally at the Hearing, written reasons will not be provided unless a request was made by either party at the Hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to Employment Tribunal decisions

Judgments and Reasons for the Judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the Claimant(s) and Respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal Hearing has been recorded you may request a transcript of the recording, for which a charge is likely to be payable in most but not all circumstances. If a transcript is produced it will not include any oral Judgment or Reasons given at the Hearing. The transcript will not be checked, approved or verified by a Judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>