



# EMPLOYMENT TRIBUNALS

**BETWEEN**

**Claimant**  
Mr R Mistry

**AND**

**Respondents**  
1. Birmingham Children's Trust  
2. Birmingham City Council

## **JUDGMENT AT A PRELIMINARY HEARING**

**HELD AT** Birmingham (remotely, via CVP)      **ON** 28 October 2020

**EMPLOYMENT JUDGE** Dimbylow

### **Representation**

**For the claimant:** Mr M Jackson, Counsel

**For the respondents:** Ms E Hodgetts, Counsel

## **JUDGMENT**

**This hearing took place against the background of the coronavirus pandemic; and was conducted remotely by video platform in accordance with safe practice and guidelines.**

- 1 By consent, I declare that there was a transfer of the claimant's contract of employment with Birmingham City Council to Birmingham Children's Trust on 1 April 2018.
- 2 By consent, the claim against Birmingham City Council is dismissed.
- 3 By consent, the claimant's application dated 10 January 2020 to amend his claim form is granted.
- 4 The respondents' application for an order striking out all or part of the claimant's claim is refused and is dismissed.
- 4 The respondents' application for an order for a deposit to be paid in relation to all or part of the claimant's claim is refused and is dismissed.

**Employment Judge Dimbylow on 28 October 2020**

Note: Reasons for the judgement having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.