



EMPLOYMENT TRIBUNALS

Claimant: Ms M Nicol

Respondent: Back 2 Work Group Ltd

Heard at: Manchester

On: 2 October 2024

Before: Employment Judge Barker

Representatives

For the claimant: in person

For the respondent: Mr Waite, director

JUDGMENT

The claimant applied to join “Just IT Limited” as a second respondent. This was refused.

The claim of race discrimination is dismissed as it has no reasonable prospect of success. The claimant accepted that any action taken was as a result of decisions taken by the Department of Education due to her visa. The respondent had no discretion to enrol her on a course once the Department of Education had refused to fund her. There was no reasonable prospect of the claimant establishing that either the respondent or Just IT Limited had treated her less favourably because of her race in relation to her inability to enrol on one of their courses.

Employment Judge Barker

Date ____ 2 October 2024 _____

JUDGMENT SENT TO THE PARTIES ON
4 October 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 may be payable. 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>