



**St John's
Buildings**

F AHMAD V HUMAN RELIEF FOUNDATION

Tarlun Ahari

Barrister

St John's Buildings

Summary

The Tribunal found that because Ms Ahmad had made protected disclosures, she was unfairly dismissed and subjected to a number of detriments by the charity, Human Relief Foundation (“the Respondent”). The Tribunal also found the Respondent in breach of contract in respect of furlough during the pandemic.

Ms Ahmad had raised concerns about smoking, suspected drug taking and breach of COVID-19 regulations in the workplace. The Respondent then commenced a redundancy process which, although genuine, was unlawfully and unfairly used to dismiss Ms Ahmad for blowing the whistle.

The Tribunal described the impact of the detriments on Ms Ahmad as “of the utmost seriousness” and awarded her an upper band Vento award for injury to feelings.

Background

The Respondent is a charity providing food, water, aid, and medical supplies to individuals in need across the globe.

Breach of contract

Ms Ahmad was placed on furlough in March 2020 but continued to work (on reduced pay).

The Tribunal found that Ms Ahmad was not genuinely or correctly on furlough in accordance with the rules of the scheme, and she was awarded compensation for breach of contract.

Whistleblowing detriments and dismissal

On 31 August 2020, the Claimant attended the office to collect some personal belongings and files from her computer. On entering, she found evidence that the office had been used recently for social purposes, including smoking (and potentially drug taking), during lockdown.

On 5 September 2020, the president of the charity attempted to enter the office but was unable to locate the key. This prompted a series of messages from Ms Ahmad’s colleagues on a group WhatsApp chat, suggesting there was a ‘bong’ in the office and that they were likely to lose their jobs.

On 11 September 2020, Ms Ahmad decided to report to management her findings on 31 August 2020 and WhatsApp messages on 5 September 2020.

After she submitted her whistleblowing letter on 11 September 2020, the Tribunal found that Ms Ahmad was subjected to a series of detriments by staff of the Respondent. This culminated in her dismissal on 8 October 2020, less than one month later. Ms Ahmad was therefore found to have been automatically unfairly dismissed under section 103A of the Employment Rights Act 1996.

Due to the significant impact that the detriments had on the Claimant, the Tribunal awarded £30, 000 for injury to feelings. This was awarded by reference to the Vento band that applied when the claim was presented i.e. on 31st December 2020.

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