



EMPLOYMENT TRIBUNALS (ENGLAND AND WALES)

PRESIDENTIAL CASE MANAGEMENT ORDER

The President of Employment Tribunals may issue case management orders to further the [overriding objective](#) and he may do so, in particular, where claims brought before the Employment Tribunals in England and Wales raise the same or similar issues.

The President may direct that the claims are heard in a particular region or administrative office. In doing so, the President will have regard to whether the interests of justice are advanced by considering the claims together; the distribution of judicial and administrative workload and resources as between the Employment Tribunal regions (including waiting times); and any views expressed by the parties.

This case management order of the President concerns:

**Claims by foster carer claimants bringing claims against
local authorities and independent foster care providers**

Background

1. Some individuals engaged in the provision of foster care have brought Employment Tribunal claims against local authorities and others in the matter of *Oni & others v London Borough of Waltham Forest & others* (case numbers 3204635/2021, 2300852/2022 & 3302687/2022) (“the Oni litigation”).
2. These claims variously involve complaints of unfair dismissal, being subject to a detriment on the ground of having made a protected disclosure, discrimination and breach of contract, and they also assert entitlement to the national minimum wage and to holiday pay.
3. In a [judgment sent to the parties on 2 January 2025](#) (“the Oni judgment”), an Employment Tribunal determined several preliminary issues as to whether the claimants had, or should be treated as having, the necessary status to bring these claims. Both the claimants and the respondents have appealed the Oni judgment to the Employment Appeal Tribunal.
4. Separately, foster carers have presented new or further claims to various regional offices of the Employment Tribunals in England and Wales. At the time of promulgation of this order, these proceedings include:

- 4.1 *Maynard & Cox v Slough Children First & the National Fostering Agency* (case numbers 3312684/2022 & 3313208/2022) – the South East England region;
- 4.2 *Offiler & Offiler v National Fostering Agency* (case number 2601874/2023) – the Midlands (East) region; and
- 4.3 *Findlay v Haringey Council & others* (case number 3307105/2023) – the London (East) region.

Orders

5. The proceedings mentioned at paragraph 4 above, and all other existing or future claims identified as raising common or related issues of fact or law as in the Oni litigation, are hereby:
 - 5.1 transferred to the London (East) region of the Employment Tribunals; and
 - 5.2 stayed behind the Oni litigation pending the outcome of the appeal (or further appeal) against the Oni judgment.
6. In some cases, a judicial decision may be needed as to whether a claim does indeed raise common or related issues of fact or law as in the Oni litigation.
7. All such claims will be case managed in accordance with directions made by the Regional Employment Judge for the London (East) region of the Employment Tribunals (or any other Employment Judge as nominated by him). No ET3 response form that remains outstanding at the date of this order will be required from any respondent to a claim until further direction.
8. If any party or representative wishes to make representations regarding the conduct of such claims they should write to the Regional Employment Judge for the London (East) region, with a copy to all other parties in accordance with [rule 90](#) of the Employment Tribunals Procedure Rules 2024.
9. A copy of this case management order shall be sent to ACAS, all known interested parties and published on the website of the Employment Tribunals at the link below:
<https://www.judiciary.uk/guidance-and-resources/directionsemployment-tribunals-england-wales>

SIGNED:



Judge Barry Clarke
President

DATED: 09 June 2025