



THE EMPLOYMENT TRIBUNALS

Between:

Claimant: Mr B Sidell

Respondent: Stuart de Frain-Ford

Heard at London South Employment Tribunal on 20 April 2018

Before Employment Judge Baron

Representation:

Claimant: The Claimant was not present nor represented

Respondent: Mrs Jo Bontoft - Solicitor

JUDGMENT AT A PRELIMINARY HEARING

It is the judgment of the Tribunal that the claim be dismissed.

REASONS

- 1 On 14 December 2017 the Claimant presented a claim to the Tribunal naming the Respondent as Stuart De Frain-Ford. He provided an ACAS early conciliation certificate number R186872/17/41. That certificate names the prospective respondent as Surrey Fire and Rescue Service.
- 2 Section 18A of the Employment Tribunals Act 1996 provides that before a claim may present an application to the Tribunal in respect of 'relevant proceedings' he must provide ACAS with prescribed information. The claims being made are of disability discrimination, and of harassment and bullying. Insofar as the Tribunal has the jurisdiction to consider the claims, they are 'relevant proceedings'.
- 3 The Early Conciliation Rules of Procedure provide that the prescribed information includes the prospective respondent's name and address. It is apparent that the Claimant did not provide ACAS with the Respondent's name and address.
- 4 In my judgment these proceedings are a nullity and by reason of the failure of the Claimant to follow the early conciliation procedure they should not have been served on the Respondent in the first place.

Employment Judge Baron

20 April 2018