



EMPLOYMENT TRIBUNALS

Claimant: Mr R Yousef

Respondent: The Governing Body of Bradfield School

RECORD OF A PRELIMINARY HEARING

Heard at: Sheffield in private **On:** 7 June 2019

Before: Employment Judge Rostant

Appearances

For the claimant: In person

For the respondent: Mr Ryan of counsel

JUDGMENT

- (1) The claimant unfair dismissal pursuant to sections 94, 95 and 98 Employment Rights Act 1996 is dismissed. The claim was brought out of time, it was reasonably practicable to presented within time, and in any case it was not presented within such further time as is reasonable.
- (2) Any claim of victimisation based on an alleged protected act in the claimant email of sixth December to Dr Gilbert is dismissed standing no reasonable prospect of success. For the avoidance of doubt, the claim of victimisation based on the claimant's grievance of 16 May 2018 may proceed.
- (3) Nothing about this judgement resolves the preliminary question as to whether or not the claimant's claims of direct discrimination and victimisation are brought within the relevant time limits. Those matters remain to be determined at the next hearing.
- (4) Upon withdrawal, the claims of indirect discrimination (race) and harassment related to race our dismissed.

Employment Judge Rostant

Dated: 7 June 2019

Sent to the parties on:

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For the Tribunal:

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