



EMPLOYMENT TRIBUNALS

Claimant

Miss N McNeish

Respondent

Suffolk County Council

v

Heard at: Bury St Edmunds

On: 17 December 2019

Before: Employment Judge Laidler

Appearances

For the Claimant: In person.

For the Respondent: Mr A Hodge, Counsel.

JUDGMENT

1. The claimant did not have two years continuous service with the respondent to entitle her to bring a claim of constructive unfair dismissal and that claim is dismissed.
2. In the alternative, the unfair dismissal claim was submitted out of time and the Tribunal does not have jurisdiction to determine it.
3. The race and age discrimination complaints were submitted out of time and it is not just and equitable to extend time and those complaints are also dismissed.
4. In relation to the two references given to the claimant after the ending of the employment, the Tribunal does not have jurisdiction to determine these complaints within the meaning of s.108 of the Equality Act 2010 and no other complaints being advanced in relation to those matters the claims are dismissed.

5. If the Tribunal were to be found wrong in its conclusions, that the discrimination complaints were submitted out of time the complaints would have been dismissed on the basis that they had no reasonable prospects of success, and further in the alternative the complaints having little reasonable prospects deposits would have been ordered as a condition of continuing to advance those allegations.

Employment Judge Laidler

Date: 19 December 2019

Sent to the parties on:07.01.20....

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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.