



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr A Sheriff

v

Hayes Meadow Primary School

Heard at: Birmingham

On: 1 September 2020

Before: Employment Judge Johnson

Appearances

For the Claimant: In person

For the Respondent: Mr Mahmood (local authority solicitor)

Note: This case was listed to take place today as a Cloud Video Platform ('CVP') hearing in order that the hearing of the preliminary issue could be heard in public. Due to technical difficulties and with the consent of the parties, it was decided that the CVP hearing would be converted to a Telephone Preliminary Hearing ('TPH'). The Tribunal administration were authorised to 'join' interested members of the public to the call during the hearing. This decision was consistent with Rule 59 (read in conjunction with Rule 53(1)(b)) of the Employment Tribunal Rules of Procedure and applying the overriding objective under Rule 2

JUDGMENT

1. The claimant's claim of unfair dismissal was not presented before the period of three months beginning with the effective date of termination on 17 July 2019 and contrary to section 111(2)(a) of the Employment Rights Act 1996, (as read in conjunction with section 207B).
2. It was reasonably practicable for the complaint to be presented before the end of the period of three months and it is therefore not reasonable to extend time to a later date as permitted by section 111(2)(b) of the Employment Rights Act 1996.
3. The claim is therefore one which the Tribunal has no jurisdiction to consider and in accordance with Rule 12(1)(a) of the Employment Tribunal's Rules of Procedure and the claim is dismissed.

Employment Judge Johnson
01 September 2020

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.