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EMPLOYMENT TRIBUNALS

Claimant: Mrs Leigh Hedley-Mansfield

Respondents: (1) Comeval Limited
(2) Commercial Evaluations Limited
(3) Data Evaluations Limited

Heard at: East London Hearing Centre (by Cloud Video Platform)

On: 16 & 17 February 2021

Before: Employment Judge Tobin

Representation
Claimant: Mr P Mansfield (husband and representative)
Respondent: Mr G Baker (counsel)

This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was V by Cloud Video Platform. A face to face hearing was not held because the relevant matters could be determined in a remote hearing.

JUDGMENT

The Judgment of the Employment Tribunal is that:

1. The claimant's claim for (constructive) unfair dismissal was presented outside the time limit contained in s111(2) Employment Rights Act 1996. It was reasonably practicable for this claim to be presented within this time limit. In any event the claim was not presented within such further period as the Tribunal considered reasonable. Accordingly, the Tribunal does not have jurisdiction to consider this claim.
2. The claimant's claims in respect of unlawful deduction of wages and outstanding holiday pay and other payments were presented outside the time limits contained in s23(4) Employment Rights Act 1996. It was

reasonably practicable for these claims to be presented within the appropriate time limits. In any event the claims were not presented within such further period as the Tribunal considered reasonable. Again, the Tribunal does not have jurisdiction to consider this claim.

3. The claimant's claims of discrimination on the grounds of pregnancy/ maternity, disability, marriage or civil partnership and sex had been presented outside of the time limit contained in s123 Equality Act 2010. Having considered the circumstances, it is not just and equitable to extend time for bringing these complaints. The Tribunal does not have jurisdiction to hear these complaints.
4. Proceedings are now dismissed. For the avoidance of doubt, the hearing listed for 5 to 8 October 2021 and 12 to 15 October 2021 shall not proceed.

Employment Judge Tobin

18 February 2021