



EMPLOYMENT TRIBUNALS

Claimant: Ms B Corley

Respondent: Lambourne End Centre for Outdoor Learning

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

On: 13 April 2021

Before: Employment Judge B Elgot

Representation

Claimant: In person
Respondent: Ms S Bewley

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

JUDGMENT

1. This case remains listed for the full merits hearing on **12, 13, 14 January 2022** at East London Hearing Centre.
2. The Respondent has conceded that the Claimant was, at the relevant time during her period of employment from 23 October 2019 until 4 February 2020 a disabled person within the meaning of s 6 Equality Act 2010 in relation to the impairments of long term recurring anxiety and depression.
3. The claims of disability discrimination and sex discrimination although presented out of time are permitted to proceed to the full Hearing because the Employment Judge considers it just and equitable to extend time to 23 July 2020 (the date on which the claims were lodged with the Tribunal). The statutory reference is s 123 (1) (b) Equality Act 2010.

4. The claim for damages for breach of contract (wrongful dismissal and failure to give notice pay) is struck out and DISMISSED. A Tribunal has no jurisdiction to hear this claim because it was presented outside the time limits set out in Regulation 7 and extended by Regulation 8B Employment Tribunals Extension of Jurisdiction Order 1994. The Employment Judge declines to extend time because she considers that it was reasonably practicable for the claim to be presented within the relevant time period.
5. The claims for unpaid deductions from wages and for holiday pay have been brought within the prescribed time limits and shall proceed to a full Hearing.
6. By reference to Rule 39 Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the Employment Judge has decided that the allegation of sex discrimination has little reasonable prospect of success and that a deposit of £150 should be paid as a condition of the Claimant continuing to advance this claim. The Deposit Order is attached.

Employment Judge B Elgot
Date: 14 April 2021