



EMPLOYMENT TRIBUNALS

Claimant

Ms Adele Clancy

Respondent

Poolside Manor Ltd

v

Heard at: Watford by CVP

On: 9 July 2021

Before: Employment Judge Allen sitting alone

Appearances

For the Claimant: In person

For the Respondent: Mr Ian Wheaton of Counsel

COVID-19 Statement on behalf of Sir Keith Lindblom, Senior President of Tribunals

“This has been a remote hearing on the papers which was not objected to by the parties. The form of remote hearing was video. A face-to-face hearing was not held because it was not practicable and all issues could be determined in a remote hearing. The documents that I was referred to are in a bundle of 567 pages, a claimant’s supplementary bundle of 171 pages, the claimants amended statement of 76 pages and the respondent witnesses’ statements of pages 93 the contents of which I have recorded. The order made is described at the end of these reasons.

JUDGMENT

The claim filed with the tribunal on 19 March 2020 and notified to Acas on 20 January 2020 is out of time and the Tribunal does not have jurisdiction to hear it. The claim is dismissed.

REASONS

Claim is out of time

1. The claimant’s claim arose out of employment with the respondent in 2019. She last worked a shift on 29 July 2019. The claimant was also invited to do some graphic design work on fixed term contract which finished on 30 September 2019. Statutory time limit expired on the last day of December 2019. The claimant notified Acas of her claim on 20 January 2020

(certificated issued on 20 February 2020). The claimant filed her ET1 claim form on 19 March 2020.

2. The claim was filed out of time and the tribunal does not have jurisdiction to hear it. The claim is dismissed.

Respondent's Application for costs against the Claimant

3. Respondent's application for costs against the claimant is refused on the grounds there was insufficient information on the claimant's means to make an award.

Employment Judge Allen

Date: ...15 July 2021.....

Sent to the parties on:

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For the Tribunal Office