



EMPLOYMENT TRIBUNALS

Claimant: Ms H Spencer

Respondent: Southway Housing Trust Manchester Limited

PRELIMINARY HEARING

Heard at: Manchester, by video platform

On: 17 March 2022

Before: Employment Judge Batten (sitting alone)

Representatives:

For the claimant: D Flood, Counsel

For the respondent: L Gould, Counsel

JUDGMENT

Employment Tribunals Rules of Procedure 2013
Rule 53

Upon hearing from the parties' representatives, the judgment of the Tribunal is that:

1. it was not reasonably practicable for the claimant to present her complaint of constructive unfair dismissal in accordance with the time limit prescribed by section 111(2)(a) of the Employment Rights Act 1996. However, the Tribunal was satisfied that it was presented in a reasonable period thereafter. Accordingly the Tribunal has jurisdiction pursuant to section 111(2)(b) of the Employment Rights Act 1996 to hear the complaint; and
2. the claimant's complaint of sex discrimination was not presented to the Tribunal within the time limit prescribed by section 123(1) of the Equality Act 2010. However, the Tribunal considers it just and equitable to extend time for this complaint.

3. Accordingly, the Tribunal has jurisdiction to hear the claimant's complaints of unfair dismissal and sex discrimination, which shall proceed to a final hearing.

Employment Judge Batten
Date: 18 March 2022

JUDGMENT SENT TO THE PARTIES ON:
31 March 2022

FOR THE TRIBUNAL OFFICE