



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Christopher Allan Taylor

**Respondent:** Iceland Foods Limited

**Heard at:** Newcastle Employment Tribunal (remote)      **On:**04.05.2022

**Before:** Judge L Mensah remotely

## Representation

**Claimant:** In attendance and represented by Mr O Lawrence (Counsel)

**Respondent:** Mr D Robinson-Young (Counsel)

# JUDGMENT

1. The Tribunal heard oral evidence from the Claimant and considered what the Representatives have said. The Tribunal was tasked to decide if it had jurisdiction to hear the Claimant's claims for, Unfair Dismissal and Wrongful Dismissal. An oral judgment was given at the hearing. The Tribunal orders are;
  - I. The Effective Date of Termination of the Claimant's employment with the Respondent is the 08.09.2021 and claim for Unfair Dismissal and Wrongful Dismissal where not made to the Employment Tribunal within the primary limitation period, which expired on the 07.12.2021. The claims were lodged with the Employment Tribunal on the 06.01.2021 and the ACAS conciliation period ran from the 25.12.2021 through to the 06.01.2022.
  - II. It was not reasonably practicable for the claim to be made to the Tribunal within the primary time limit.

- III. The claim was lodged within a reasonable period after the expiry of the primary time limit and on the 06.01.2022.
2. The Claimant's claim for Unfair Dismissal and Wrongful dismissal is therefore allowed to proceed to a substantive hearing.
3. An oral request has been made on behalf of the Respondent for full written reasons. They will be sent to the parties in due course.

*Judge L Mensah*

---

Employment Judge **Mensah**

Date 04.05.2022

<sup>1</sup> 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.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Christopher Allan Taylor

**Respondent:** Iceland Foods Limited

**Heard at:** Newcastle Employment Tribunal (remote)      **On:** 04.05.2022

**Before:** Judge L Mensah remotely

## Representation

**Claimant:** In attendance and represented by Mr O Lawrence (Counsel)

**Respondent:** Mr D Robinson-Young (Counsel)

## CASE MANAGEMENT ORDERS

1. Following the preliminary hearing on jurisdiction the Tribunal held a brief case management discussion with the consent of both parties.

### Hearing timetable

2. The hearing is listed for 4 days after the 22.06.2022 to accommodate the Claimant calling 3 witnesses and the Respondent calling 5 witnesses and remedy if applicable.
3. If you think that more or less time will be needed for the hearing, you must tell the Tribunal as soon as possible.
4. The parties are to file their availability for both legal representatives and witness, with the Tribunal and each other, by 4pm on the 11.05.2022.

### Claims and Issues

5. The claims and issues, as discussed at this preliminary hearing are for Unfair Dismissal and Wrongful Dismissal. The issues to be discussed by the Tribunal at the start of the hearing unless the Tribunal orders otherwise.

## **Schedule of Loss**

6. The claimant should file and serve on the Respondent and Tribunal, an updated schedule of loss no later than 4pm, 14 clear working days before the substantive hearing.

## **Documents**

7. As a joint agreed bundle has already been filed. Any further documents to be relied upon should be exchanged (and for the Claimant, serve on the Respondent to includes documents relevant to financial losses if applicable) by no later than 4pm on the 31.05.2022.

## **File of documents**

8. The Respondent must prepare an updated consolidated agreed bundle of those documents filed as above, with an amended index and page numbers. They must send a hard copy to the Claimant by no later than the 07.06.2022.
9. The amended file should also contain:
  - a. The ACAS certificate.
10. The Claimant and the Respondent must both bring a copy of the file to the hearing for their own use.
11. The Respondent must bring two more copies of the file to the hearing for the Tribunal to use by 9.30 am on the first morning.

## **Witness statements**

12. The Claimant and the Respondent must prepare witness statements for use at the hearing. Everybody who is going to be a witness at the hearing, including the Claimant, needs a witness statement.
13. A witness statement is a document containing everything relevant the witness can tell the Tribunal. Witnesses will not be allowed to add to their statements unless the Tribunal agrees.
14. Witness statements should be typed if possible. They must have paragraph numbers and page numbers. They must set out events, usually in the order they happened. They must also include any evidence about financial losses and any other remedy the Claimant is asking for. If the witness statement refers to a document in the file it should give the page number.

15. At the hearing, the Tribunal will read the witness statements. Witnesses may be asked questions about their statements by the other side and the Tribunal.
16. The Claimant and the Respondent must send each other copies of all their witness statements by mutual exchange by no later than 4pm on the 15.06.2022.
17. The Claimant and the Respondent must both bring copies of all the witness statements to the hearing for their own use.
18. The Respondent must bring two more copies of the witness statements to the hearing for the Tribunal to use by 9.30 am on the first morning.

Or for Video Hearings

19. At least 14 days before the hearing date the Respondent must send one hard copy and an electronic copy of the hearing file and all the witness statements to the Tribunal for the Tribunal to use.

### **Variation of dates**

20. The parties may agree to vary a date in any order by up to [14] days without the Tribunal's permission, but not if this would affect the hearing date.

### **About these orders**

21. These orders were made and explained to the parties at this preliminary hearing. They must be complied with even if this written record of the hearing arrives after the date given in an order for doing something.
22. If any of these orders is not complied with, the Tribunal may: (a) waive or vary the requirement; (b) strike out the claim or the response; (c) bar or restrict participation in the proceedings; and/or (d) award costs in accordance with the Employment Tribunal Rules.
23. Anyone affected by any of these orders may apply for it to be varied, suspended or set aside.

### **Writing to the Tribunal**

24. Whenever they write to the Tribunal, the Claimant and the Respondent must copy their correspondence to each other.

### **Useful information**

- 25. All judgments and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.
  
- 26. There is information about Employment Tribunal procedures, including case management and preparation, compensation for injury to feelings, and pension loss, here:  
<https://www.judiciary.uk/publications/employment-rules-and-legislation-practice-directions/>
  
- 27. The Employment Tribunals Rules of Procedure are here:  
<https://www.gov.uk/government/publications/employment-tribunal-procedure-rules>
  
- 28. You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here: <https://www.gov.uk/appeal-employment-appeal-tribunal>

*Judge L Mensah*

---

Employment Judge **Mensah**

Date 04.05.2022

ORDER SENT TO THE PARTIES ON

.....

.....  
FOR THE TRIBUNAL OFFICE