



# EMPLOYMENT TRIBUNALS

**Claimant:** X

**Respondent:** BT plc

**HELD AT:** Manchester

**ON:** 26 September 2022

**BEFORE:** Employment Judge Johnson

## REPRESENTATION:

**Claimant:** in person  
and unrepresented

**Respondent:** Mr J  
Ward (solicitor)

# JUDGMENT

The judgment of the Tribunal is that:

- (1) Contrary to Rule 12(1)(d) of the Employment Tribunals Rules of Procedure, the claim form presented on 7 February 2021, is one where relevant proceedings have been instituted on a claim form which contains confirmation that one of the early conciliation exemptions applies and an early conciliation exemption applies, in respect of the following complaints:
  - a) Those complaints of discrimination brought under the Equality Act 2010, (and which appear now to be restricted to disability discrimination and sex discrimination/equal pay).
  - b) The complaint of detriments arising from the claimant making a protected disclosure contrary to section 47D Employment Rights Act 1996, (but not the automatic unfair dismissal under s.103A Employment Rights Act 1996).
  - c) For the avoidance of doubt, any other complaints which fall outside of Part X ERA and which have not been formally dismissed by the Tribunal.
- (2) Consequently, and in accordance with Rule 12(2), those complaints must be rejected and are not permitted to proceed in this case.

- (3) For the avoidance of doubt, any complaints which fall within Part X Employment Rights Act 1996 (presently understood to be the complaints of ordinary unfair dismissal and automatic unfair dismissal contrary to section 103A Employment Rights Act 1996), are unaffected by this judgment and will proceed to the final hearing.

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Employment Judge Johnson

Date 28 September 2022

JUDGMENT SENT TO THE PARTIES ON  
29 September 2022

FOR THE TRIBUNAL OFFICE