



EMPLOYMENT TRIBUNALS

Claimant: Ms L Caryl

Respondent: Home Office

Heard at: Croydon **On:** 27 March 2023

Before: Employment Judge Barker

Representatives

For the claimant: in person

For the respondent: Mr Canning, counsel

JUDGMENT

The claimant's claim was presented out of time. It was not reasonably practicable for the claim for unfair dismissal to be brought within the time limit set out in s111 Employment Rights Act 1996. It was presented within a reasonable time thereafter. The claim may proceed.

The Tribunal notes that, as currently pleaded, the claim form contains almost no information about the unfair dismissal claim itself. The only information relating to an unfair dismissal complaint is an allegation that the claimant was misled into believing that her pension estimate figure was in fact compensation for unfair dismissal and that this was the reason why she did not appeal against her dismissal.

The claimant requests payment of the lump sum that was mistakenly promised by the respondent's pension provider CSP. The claimant was reminded that, if her complaint is in fact to do with mistakes by the pension provider, the Tribunal has no jurisdiction to determine such issues, which are properly addressed to the Pensions Ombudsman. If her complaint is one of unfair dismissal, she will need to provide further information about her unfair dismissal complaint.

A further preliminary hearing will be listed on a date to be notified to the parties in due course to consider any applications by either party and/or any preparations that may be required for the final hearing.

Employment Judge Barker

Date 27 March 2023

Note

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 shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

