



EMPLOYMENT TRIBUNALS

BETWEEN

CLAIMANT

RESPONDENT

MISS T BROWN

V

SWANSEA MIND

HELD BY VIDEO AT SWANSEA ON: 12 MAY 2023

BEFORE: EMPLOYMENT JUDGE S POVEY

REPRESENTATION:

FOR THE CLAIMANT:

MR JOHNS (COUNSEL)

FOR THE RESPONDENT:

MR ISLAM-CHOUDHURY (COUNSEL)

JUDGMENT

1. The claim of automatic unfair dismissal (contrary to section 100(1)(e) of the Employment Rights Act 1996) was not presented to the Tribunal before the end of the period of three months (subject to section 207B of the ERA) beginning with the effective date of termination.
2. It was reasonably practicable for the claim of automatic unfair dismissal (contrary to section 100(1)(e) of the Employment Rights Act 1996) to be presented before the end of the period of three months (subject to section 207B of the ERA) beginning with the effective date of termination.
3. As such, and by reason of section 111(2) of the Employment Rights Act 1996, the Tribunal cannot consider the claim of automatic unfair dismissal (contrary to section 100(1)(e) of the Employment Rights Act 1996), it has no reasonable prospects of success and it is hereby struck out.
4. The claim of unlawful deduction from wages (contrary to section 13 of the Employment Rights Act 1996) was not presented to the Tribunal before the end of the period of three months (subject to section 207B

of the ERA) beginning with the date of payment of the wages from which the deduction was made.

5. It was reasonably practicable for the claim of unlawful deduction from wages (contrary to section 13 of the Employment Rights Act 1996) to be presented before the end of the period of three months (subject to section 207B of the ERA) beginning with the date of payment of the wages from which the deduction was made.
6. As such, and by reason of section 23(2) of the Employment Rights Act 1996, the Tribunal cannot consider the claim of unlawful deduction from wages (contrary to section 13 of the Employment Rights Act 1996), it has no reasonable prospects of success and it is hereby struck out.

EMPLOYMENT JUDGE S POVEY

Dated: 15 May 2023

Order posted to the parties on 22 May 2023

For Secretary of the Tribunals Mr N Roche