



EMPLOYMENT TRIBUNALS

Claimant: Mr D Halliwell

Respondent: Advance365 Limited

Heard at: Newcastle CFCTC **On:** 18-20 March 2024

Before: Employment Judge Arullendran

Ms A Tarn
Mr P Chapman

Representation:

Claimant: In person

Respondents: Ms E Mayhew-Hills (litigation consultant)

JUDGMENT

The unanimous Judgment of the Employment Tribunal is as follows:

1. The complaint of unfair dismissal was not presented within the applicable time limit. It was reasonably practicable to do so. The complaint of unfair dismissal pursuant to section 98 of the Employment Rights Act 1996 is therefore dismissed.
2. The complaint of automatic unfair dismissal was not presented within the applicable time limit. It was reasonably practicable to do so. The complaint of automatic unfair dismissal pursuant to section 103A of the Employment Rights Act 1996 is therefore dismissed.
3. The complaint of detriment for making a protected disclosure was not presented within the applicable time limit. It was reasonably practicable to do so. The complaint of detriment pursuant to section 47B of the Employment Rights Act 1996 is therefore dismissed.
4. The complaint of failure to pay notice pay was not presented within the applicable time limit. It was reasonably practicable to do so. The complaint of notice pay or breach of contract is therefore dismissed.

5. The complaint of unauthorised deduction of wages is not well founded and is dismissed.
6. The complaint of failure to pay accrued and outstanding holiday pay is not well founded and is dismissed.

Employment Judge Arullendran

Date: 20 March 2024

Note: Reasons for the judgment having been given orally at the hearing and no request for written reasons having been made at the hearing, written reasons will not be provided unless 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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>