



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case No: 8000418/2024

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Held on 20 June 2024 by CVP

Employment Judge N M Hosie

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Dr A Shipman

**Claimant
In Person**

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**Conigital Ltd
t/a Conigital io**

**Respondent
No appearance**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Judgment of the Tribunal, for the reasons given orally at the Hearing, is that
40 the claim is time-barred and is dismissed for want of jurisdiction.

REASONS

1. I am satisfied that the respondent's correct designation, and Dr Shipman's employer, is Conigital Limited, trading as Conigital io .

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2. I heard evidence from Dr Shipman at the Hearing. He gave his evidence in a measured, consistent and convincing manner and presented as credible and reliable. I had no doubt that his claim for unpaid wages and pension contributions was well founded. However, he had failed to notify ACAS within the statutory 3 months' time limit, from the effective date of termination of his employment; and failed to submit his claim form, within 1 month from the date the ACAS Certificate was issued, as he was required to do.

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3. Nor was I persuaded that it had not been "reasonably practicable" to submit his claim in time. I was driven to the view, therefore, that the claim was time-barred and had to be dismissed. I gave an oral Judgment to that effect at the Hearing.

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HMRC

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4. As I recorded above, Dr Shipman presented as entirely credible and reliable. He produced correspondence with the HMRC which was to the effect that the respondent Company had advised HMRC that it had paid Dr Shipman's salary of £3,562.50 gross, on 2 occasions in both July and September. On the basis of Dr Shipman's evidence, which he gave under oath, this

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information was incorrect. He only received 1 salary payment in July and no salary payments thereafter for the month of August and for the 1 week in September, before the effective date of termination of his employment on 8 September 2023.

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| Employment Judge: | N M Hosie |
| Date of Judgment: | 25 June 2024 |
| Entered in register: | 27 June 2024 |
| and copied to parties | 27/06/2024 |

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