



EMPLOYMENT TRIBUNALS

Claimant: Mr J Pearson

Respondent: Solenis UK Industries Ltd

JUDGMENT

The complaints of **religion or belief discrimination** are struck out.

The complaint of whistleblowing detriment because of a written statement to the respondent's Global Standards of Business Conduct on 11 September 2020 is struck out.

REASONS

Background

1. A preliminary hearing was listed on 1 October 2025 at the Leeds Employment Tribunal to discuss, in part, what complaints the claimant was making.
2. The claimant presented his claim on 30 November 2024. It was not clear from his claim form what he was alleging had occurred. He was ordered on 16 May 2025, at a previous preliminary hearing, to provide further information about his claim. The claimant was only able to partially comply with that order and his complaints of religion and belief discrimination and whistleblowing detriment remained unparticularised by the date of this preliminary hearing.

The complaints

3. On discussion at the preliminary hearing on 1 October 2025 it was established that the claimant's complaints of religion/belief discrimination were:
 - 3.1. That he was harassed or treated less favourably by a manager of the respondent bullying him during and prior to 2021 because of the claimant's philosophical belief in veganism; and
 - 3.2. That he was harassed or treated less favourably by the respondent's manager bullying him during and prior to 2021 because of the claimant's philosophical belief comprised of a moral objection to pension investment.
4. In addition, one of his complaints of whistleblowing detriment was that he was

unfairly disciplined by the respondent's manager in October 2020 to some time in 2021 in retaliation for a statement he made to the respondent's Global Standards of Business Conduct process in September 2020.

5. The claimant has a number of other complaints, including unfair dismissal, disability discrimination and other whistleblowing complaints which are not the subject of this judgment.

The issues

6. The complaints particularised at paragraphs 3 and 4 above were plainly historic and I refer to them hereafter as 'the historic complaints'. The claimant's claim in relation to those complaints was likely to have been presented significantly out of time. In addition, he had been off sick from 26 February 2021 until his dismissal on 19 June 2024 and had no contact with the alleged perpetrator for some years.
7. I explained the law relating to time limits to the claimant. I explained that, in relation to the discrimination complaints, I have the power to strike out the historic complaints if I considered the claimant had no reasonable prospect of establishing that: (a) there was discriminatory conduct over a period ending on or after 18 June 2024; or (b) it would be just and equitable to extend the time limit for bringing the claim? In relation to the whistleblowing complaint, I have the power to strike out the complaint if the claimant has no reasonable prospect of establishing that: (a) it was not reasonably practicable to present the claim within the time limit; and (b) the claim was presented within a reasonable period?

How to proceed

8. I explained to the parties that I had the following options:
 - 8.1. Allow the parties to make representations today before deciding at this preliminary hearing whether to strike out the historic complaints;
 - 8.2. Give the parties an opportunity to make representations in writing and then decide on the papers whether to strike out the historic complaints;
 - 8.3. List a further preliminary hearing in public to decide whether to strike out the historic complaints.
9. Mr Mellis for the respondent was in favour of deciding the issue today because, he submitted, the complaints were well out of time and there was no indication of any conduct over time that might bring the complaints in time. There was clearly no reasonable prospect of the claimant persuading the tribunal to extend time.
10. The claimant wanted more time to respond and favoured considering the issue at a further preliminary hearing so that he would have a chance to make written and oral submissions at a future date.
11. I carefully considered the history of these proceedings, in particular the fact that the claimant has previously failed to comply with orders fully or at all, repeatedly sought postponements and extensions of time and struggles to deal with discrete issues and answering specific questions clearly in writing and orally. I took account of the claimant's request that matters be dealt with

by a combination of correspondence and face to face hearings and significant time allowances. I agree that, in relation to complaints that have a chance of succeeding and as long as the tasks set for the claimant are clear and discrete, that is the most appropriate way of proceeding. However, applying the Overriding Objective to the question of how to proceed today in relation to the historic complaints, I concluded that there would be real prejudice to both parties in putting off the strike out decision. The matter had not progressed to a point where the claim was clearly defined, despite being ongoing for a year already. Putting off the decision would likely increase the time and cost for the respondent. But it would also prejudice the claimant because it would mean a requirement to produce further written submissions, in circumstances where he already struggled to deal with multiple demands from the Tribunal. I considered that further unnecessary complication could result in the claimant being unable to comply with orders and, ultimately, his potentially successful complaints being struck out. Given the need to clearly identify the complaints so that the claim can move forward, I did not consider that it was in anyone's interest to add further delay or complication by putting off the decision to another day. I therefore concluded that the decision on whether to strike out the historic complaints should be taken at the preliminary hearing today.

Submissions

12. I gave the parties an opportunity to make submissions. The respondent's submissions were, in essence, that the historic complaints were significantly out of time, had no connection with more recent events and should be struck out. The claimant explained that the historic complaints were part of the whole chain of events leading to his dismissal, which arose from him being groomed by the respondent's manager during his apprenticeship and after. I accepted that, in the claimant's mind, the events from before 2018 through to 2021 were all inextricably linked with his subsequent sickness and, ultimately, his dismissal in 2024.
13. However, the claimant was not able to point to any act of religion or belief discrimination or harassment occurring after 2021. Nor was he able to identify any way in which the allegation at paragraph 4 was related to anything occurring after 2021. His other whistleblowing allegations are discrete, carried out by different personnel and relate to different protected disclosures.
14. I explored with the claimant why he had waited so long before presenting a claim in relation to the historic complaints. He explained that he lacked the mental and physical capacity because of other ongoing issues. While it is clear that the claimant lives with significant mental ill-health and other disabilities and was off sick from 2021 until 2024, there is no evidence that he did not have capacity to present an employment tribunal complaint at any point during that time or that he did not or could not have obtained the knowledge required to present a claim in time.

Determination

15. On balance, I considered that, in relation to the discrimination complaints, there is no reasonable prospect of the claimant successfully establishing that, in the circumstances: (a) there was discriminatory conduct over a period ending on or after 18 June 2024; or (b) it would be just and equitable to

extend the time limit for bringing the claim? In relation to the whistleblowing complaint I concluded that the claimant has no reasonable prospect of establishing that: (a) it was not reasonably practicable to present the claim within the time limit; and (b) the claim was presented within a reasonable period.

16. The historic complaints are therefore struck out. The claimant's remaining claim(s) remain listed for a further preliminary hearing on **19 March 2026**.

Approved by:

2 October 2025

JUDGMENT SENT TO THE PARTIES
ON

9 October 2025
FOR THE TRIBUNAL OFFICE