



EMPLOYMENT TRIBUNALS

Claimant: Mr C Sarfo

Respondent: LIDL Great Britain Ltd

Heard at: Watford (in private; by CVP video link)

On: 18 June 2026

Before: Employment Judge Skehan

Appearances

For the claimant: In Person

For the respondent: Ms R Page, solicitor

JUDGMENT

1. The claimant's claim for unfair dismissal was not presented to the Employment Tribunal within the time limit in section 111 of the Employment Rights Act 1996. This claim is struck out as the Employment Tribunal does not have jurisdiction to consider it.

REASONS

1. I note the previous Case Management Order (CMO) of EJ George following the hearing on 12 January 2026 where EJ George had set out directions for preparation for today's hearing. The respondent says that it has completed its disclosure exercise in December 2025. There had been non-compliance on the part of the claimant and the claimant was provided with a further opportunity to provide documentation by 9 February 2026. Further, the claimant was to tell the respondent by 9 March 2026 of documentation the claimant wishes to refer to at the preliminary hearing.
2. The claimant has not, as of today's date, completed the disclosure exercise. The claimant said that he had already disclosed 'most' of the documentation in his possession or under his control. There is no reasonable explanation put forward for the claimant's non-compliance. The completion of the electronic bundle as envisaged by EJ George was delayed by the claimant's non-compliance.
3. The claimant was ordered by EJ George to provide a witness statement setting out any evidence he wished to rely on in respect of the matters to be considered at the

preliminary hearing no later than 23 March 2026. The claimant had not provided this witness statement. The claimant said that he had not provided this witness statement because he had not received the respondent's bundle. On consideration of both parties' submissions I concluded that the claimant had not provided any reasonable excuse for his non-compliance or his failure to provide a witness statement containing the evidence he wished to rely upon in respect of the above matter. I considered that it was in line with the overriding objective to proceed with considering this application and both parties were provided with the opportunity to provide oral submissions setting out their respective positions.

4. There was a question mark in respect of the effective date of termination. Employment was terminated on 16 July 2024 by letter. It is common ground that the claimant was not orally informed of the termination of his employment on 16 July 2024. The claimant sent an appeal against the termination of his employment to the respondent on 18 July 2024 expressly referring to the dismissal letter of 16 July 2024. Therefore, I conclude that the claimant had received the dismissal letter by 18 July 2024 at the latest. I have used this date as the effective date of termination for the purpose of calculation of the limitation period. The claimant commenced and concluded the ACAS process on 24 October 2024 and the Form ET1 was issued on 24 October 2024. Therefore the claim was not made to the Tribunal within three months (plus early conciliation extension) of the effective date of termination.
5. I considered whether it was reasonably practicable for the claim to be made to the Tribunal within the time limit. No particular reason was submitted by the claimant for the late submission of the form. The claimant said that he was going through a lot of family issues at that time. The claimant said that up to 30 September 2024, he considered that his appeal was in motion, and it was only in September 2024 that the claimant learned that the respondent continued to rely upon his dismissal letter. The claimant referenced contacting the respondent, Citizens Advice and said that he also contacted ACAS by phone at some time prior to 24 October 2024. The claimant was unsure of dates. The claimant said that he had not been unfairly dismissed before and reiterated his attempts to contact Citizens Advice and ACAS.
6. I considered the entirety of the available information. I note that the claimant claims to have contacted both Citizens Advice and ACAS prior to 24 October 2024, however there is no explanation as to why the claim was submitted outside of the statutory time frame. While it is possible that the claimant was unaware of the statutory limitation period, I consider that the onus is on the claimant to make a reasonable effort to find out about the practicalities of bringing his claim. The claimant on his own submission was able to speak to both Citizens Advice and ACAS. On balance I concluded that the claimant had not demonstrated that it was not reasonably practicable for him to bring his claim to the attention of the Employment Tribunal within the time limit. In light of this finding, the claimant has not brought his claim within the limitation provisions within section 111 of the Employment Rights Act 1996 and the Tribunal does not have jurisdiction to consider the unfair dismissal claim. The unfair dismissal claim was struck out for want of jurisdiction.

Approved by:

EJ Skehan
18 June 2026

Case Number: 6016159/2024

Sent to the parties on:
4 July 2026

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For the Tribunal Office:

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