



EMPLOYMENT TRIBUNALS

Claimant: Havva Sari
Respondent: Orchardside School
Heard at: Watford Employment Tribunal
On: 3 June 2026
Before: Employment Judge Annand

Representation

Claimant: In person
Respondent: Mr Wilding (Counsel)

RESERVED JUDGMENT

1. The Claimant's claims of direct age and race discrimination and harassment related to age and race are struck out because the Claimant has no reasonable prospect of establishing that there was discriminatory conduct extending over a period, which ended on or after 27 August 2024, and has no reasonable prospect of establishing that it would be just and equitable to extend the time limit for bringing the claim.

FULL REASONS

Introduction

1. The Claimant was employed by the Respondent as a teacher from 5 September 2022 to 19 November 2024. She contacted Acas for early conciliation purposes on 26 November 2024, and the certificate was issued on 7 January 2025. The Claimant submitted a claim form on 22 January 2025. The primary limitation date was therefore 27 August 2024. This means that any events which occurred after this date are in time and any that occurred before this date are potentially out of time.
2. A preliminary hearing was held by Employment Judge Dick on 29 January 2026. At that hearing, a List of Issues was produced based on the Claimant's claims as set out in her Particulars of Claim. The Claimant brings claims of unfair dismissal, whistleblowing detriments, direct discrimination

on grounds of age and/or race, harassment on grounds of age and/or race, and victimisation.

3. The alleged detriments for the whistle-blowing detriments claim and the victimisation claim relate to the Claimant's suspension, disciplinary investigation and dismissal, which occurred after 25 June 2024.
4. The complaints of direct discrimination and harassment relate to the way the Claimant says she was treated by three consecutive Teaching Assistants, over the period of time from when the Claimant's employment started in September 2022 until May 2024. The Respondent says the latest date referred to in the Claim Form is 8 May 2024. The Claimant went off sick on 29 May 2024 and did not return until 24 June 2024 and was then suspended on 27 June 2024.
5. The hearing on 3 June 2026 was listed by Employment Judge Dick to deal with the following issues, 1) Should the complaints of direct discrimination and harassment be struck out because the claimant has no reasonable prospect of establishing that: 1) there was discriminatory conduct over a period ending on or after 27 August 2024 or 2) it would be just and equitable to extend the time limit for bringing the claim.
6. For the hearing, I was provided with a skeleton argument by the Respondent, a response to the skeleton argument written by the Claimant, and a bundle of evidence (160 pages). In the hearing, the Claimant said she had also sent the Tribunal an email which her legal advisor had written on her behalf. The Tribunal was unable to locate that email, but the Claimant read it out in the hearing. The Claimant had not produced a witness statement for the hearing (this had not been ordered at the previous hearing), but the Respondent suggested it would be acceptable to treat her response to the skeleton argument as her evidence. Both parties made oral submissions. Firstly, the Respondent explained its arguments on time limits. The Claimant then gave an account of the time periods, gave an explanation about her claims, and gave her reasons for why she did not bring her claims earlier. The Respondent then had an opportunity to respond, and the Claimant was permitted to make some further short comments in response. After I heard from both parties, I reserved my decision.

Factual background

7. The Claimant worked with the first Teaching Assistant (TA1) for six weeks from 5 September 2022 to the October half term in 2022. Her complaints, in respect of both her direct discrimination complaints and her claim for harassment, about TA1 are that 1) she prevented the Claimant from speaking, 2) attempted to take over the Claimant's lessons, 3) talked negatively about the Claimant, 4) did not interact with the Claimant and pretended the Claimant did not exist, 5) did not perform her tasks such as cleaning up and left all the work for the Claimant to do, 6) did not allow the Claimant to use PowerPoint presentations, and 7) insisted on writing recipes on pieces of paper with a pen and sticking these to the interactive whiteboard and did not let the Claimant take them down.
8. In the Claim Form and the List of Issues, it was set out that the second Teaching Assistant (TA2) and first Teaching Assistant (TA3) also subjected

the Claimant to these same 7 acts of less favourable treatment and unwanted conduct, although the Claimant clarified in the hearing on 3 June 2026 that the sixth and seventh allegation were only made against TA1 and not TA2 and TA3.

9. The first five of the allegations set out above are made against TA2 along with the other allegations, including the allegations that TA2 did not come to the Claimant's lessons or came late, did not help the Claimant, would sleep in the staffroom and classrooms, and asked the Claimant about her retirement. The Claimant worked with TA2 between October 2022 and the middle of November 2022, when she was removed from the Claimant's classroom and moved to work elsewhere.
10. TA3 was employed from around 23 January 2023, and she worked with the Claimant until the Claimant went off sick in May 2024. The Claimant says the relationship started well but then began to mimic the way she was treated by TA1 and TA2, and so the first five allegations made against TA1 and TA2 are also made against TA3, and in addition it is alleged that TA3 complained about the Claimant speaking to the children in Turkish.
11. The Respondent has argued that the alleged conduct is not a single course of conduct that runs between September 2022 to May 2024 but is really three separate courses of conduct. The first period, relating to TA1, is from September to mid- October 2022 and is just under two years out of time. The second period, relating to TA2, is from October to November 2022, and is 1 year and 9 months out of time, and the third period, relating to TA3, is from January 2023 to May 2024, and it is 3 months out of time. Even if the period of time is extended to the date of the Claimant's suspension at the end of June 2024, it is still two months out of time. Even if the Tribunal does not accept that the course of conduct is three separate distinct periods, the whole course of conduct from September 2022 to May or June 2024 is still two or three months out of time.
12. The Respondent also argued that there is no real causal link between the behaviour of TA1, TA2 and TA3.
13. The Respondent submitted that as these claims are out of time, the Tribunal would need to find it would be just and equitable to extend time, and the Claimant had not put forward any real explanation for why the claims were brought late.
14. The Claimant's position was set out in her response to the Respondent's Skeleton argument. She wrote that the Respondent was on notice of her concerns about TA1 and TA2's behaviour. She wrote that she was unable to put in her Claim Form earlier due to anxiety and depression. She noted she had started CBT in October 2025 and then started Intensive therapy in February 2026. The Claimant also made some observations about the merits of her claims, which she said were good.
15. In the hearing, with regards to what she might say about a continuing course of conduct, the Claimant said that TA1 and TA2 were friends and they were both friends with the teacher the Claimant had replaced and so she thought that they were punishing her because the previous teacher had left. Both TA1 and TA2 were moved to work in other departments. The Claimant said

after TA1 left her classroom, and moved to working in a different department, the Claimant had some further interactions with her that included disagreements about ordering food for a breakfast club, an issue with some out of date milk, and an issue with the food tech room being left untidy, and with knives unattended, after a fish meal was cooked. TA1 was moved after the Claimant complained about her. TA2 was also moved because of issues with her performance. The Claimant accepted after TA2 left her classroom, and moved to working in a different department, the Claimant did not have any more interactions with her, except for when they worked together for one lesson in June. In respect of TA3 the Claimant said their relationship started out very well, but in February 2023, TA3 was given a laptop and their relationship became strained, because the Claimant felt TA3 spent too much time looking at her laptop. The Claimant confirmed that TA1, TA2, and TA3 were not present at the incident which led to her suspension.

16. When asked why she thought the TAs' conduct was related to her age, she said that TA1 and TA2 had both asked her when she was going to retire. When asked why she thought the TAs' conduct was related to her race, she replied, "What else could it be? Why was I made so unwelcome?" In respect of TA3, who is white, she said that she had not liked the Claimant speaking to the students in Turkish. When asked if she had complained to the school about age or race discrimination, the Claimant said she had not because she could not prove it.
17. In response to the Claimant's oral submissions, the Respondent's counsel argued that the Claimant's submissions demonstrated there was no continuing act or course of conduct. It was not enough to say that TA1 and TA2 were friends. In any event, the Claimant accepted her relationship with TA3 had started well. The relationship later broke down but for reasons unconnected to TA1 and TA2. Although the Claimant made a complaint about TA3 on 8 May 2023, it was about TA3's conduct towards the students and not TA3's conduct towards the Claimant. Further the Claimant had not given any reasons why it would just and equitable to extend time. It was noted there was no overlap with the other claims the Tribunal would hear. In other words, the evidence relating to these allegations are not evidence that the Tribunal would be hearing about anyway. If not struck out, the Tribunal will be hearing in 2028 about allegations that took place in 2022 regarding TA1.

The relevant law

Strike out

18. Rule 38(1) of the Employment Tribunals Rules of Procedure 2024 provides that the Tribunal may strike out all or part of a claim or response on any of the following grounds:
 - (a) that it is scandalous or vexatious or has no reasonable prospect of success.
 - (b) that the manner in which the proceedings have been conducted by or on behalf of the claimant or the respondent (as the case may be) has been scandalous, unreasonable or vexatious.

(c) for non-compliance with any of these Rules or with an order of the Tribunal.

(d) that it has not been actively pursued.

(e) that the Tribunal considers that it is no longer possible to have a fair hearing in respect of the claim or response (or the part to be struck out).

19. The power may only be exercised if the claimant has been given a reasonable opportunity to make representations, either in writing or, if requested by the claimant, at a hearing (Rule 38(2)).

20. When considering whether to strike out a claim, a tribunal must adopt a two-stage approach. First, it must consider whether any of the grounds set out in rule 38(1)(a)–(e) have been established, and then, having identified any established grounds, it must decide whether to exercise its discretion to order strike-out (*Hasan v Tesco Stores Ltd* EAT 0098/16).

21. In *Cox v Adecco Group UK & Ireland and ors* [2021] ICR 1307, EAT, His Honour Judge James Tayler provided guidance on how tribunals should approach strike-out applications against litigants in person:

- if the question of whether a claim has reasonable prospects of success turns on factual issues that are disputed, it is highly unlikely that strike-out will be appropriate
- there has to be a reasonable attempt at identifying the claim and the issues before considering strike-out or making a deposit order. The claimant's case must ordinarily be taken at its highest and the tribunal must consider, in reasonable detail, what the claim(s) and issues are: 'Put bluntly, you can't decide whether a claim has reasonable prospects of success if you don't know what it is'
- a fair assessment of the claim(s) and issues should be carried out on the basis of the pleadings and any other documents in which the claimant seeks to set out the claim
- in the case of a litigant in person, the claim should not be ascertained only by requiring the claimant to explain it while under the stresses of a hearing; reasonable care must be taken to read the pleadings (including additional information) and any key documents in which the claimant sets out the case. When pushed by a judge to explain the claim, a litigant in person 'may become like a rabbit in the headlights' and fail to explain the case he or she has set out in writing
- in some cases, a proper analysis of the pleadings, and of any core documents in which the claimant seeks to identify the claim, may show that there really is no claim and therefore no issues to be identified. More often, however, a careful reading of the documents will show that there is a claim, even if it might require amendment
- strike-out is not a way of avoiding rolling up one's sleeves and identifying, in reasonable detail, the claims and issues; doing so is a prerequisite of considering whether the claim has reasonable prospects of success. Often it is argued that a claim is bound to fail because there is one issue that is hopeless. For example, in the whistleblowing context, it might be argued that the claimant will not be able to establish a reasonable belief in wrongdoing; however, it is generally not possible to analyse the issue of wrongdoing without considering what information the claimant contends has

been disclosed and what type of wrongdoing the claimant contends the information tended to show

- respondents, particularly if legally represented, should, in accordance with their duties to assist the tribunal to comply with the overriding objective and not to take procedural advantage of litigants in person, assist the tribunal in identifying the documents, and key passages of the documents, in which the claim is set out, even if it may not be explicitly pleaded in a manner that would be expected of a lawyer, and should take particular care if a litigant in person has applied the wrong legal label to a factual claim that, if properly pleaded, would be arguable
- if the claim would have reasonable prospects of success had it been properly pleaded, consideration should be given to the possibility of an amendment, subject to the usual test of balancing the justice of permitting or refusing the amendment, taking account of the relevant circumstances
- litigants in person also have responsibilities in this context. So far as they can, they should seek to explain their claims clearly, even though they may not know the correct legal terms, focusing on core claims rather than trying to argue every conceivable point. The more prolix and convoluted the claim is, the less a litigant in person can criticise an employment tribunal for failing to get to grips with all the possible claims and issues. Litigants in person should appreciate that, usually, when a tribunal requires additional information it is with the aim of clarifying, and where possible simplifying, the claim, so that the focus is on the core contentions. The overriding objective also applies to litigants in person, who should do all they can to help the employment tribunal clarify the claim
- the employment tribunal can only be expected to take reasonable steps to identify the claims and issues. But respondents, and tribunals, should remember that repeatedly asking for additional information and particularisation rarely assists a litigant in person to clarify the claim. Requests for additional information should be as limited and clearly focused as possible.

22. In *Anyanwu and anor v South Bank Student Union and anor* [2001] ICR 391, HL, the House of Lords highlighted the importance of not striking out discrimination claims except in the most obvious cases.

Conduct extending over a period

23. In *Aziz v FDA* [2010] EWCA Civ 304, CA the Court noted that, in considering whether separate incidents form part of an act extending over a period, 'one relevant but not conclusive factor is whether the same or different individuals were involved in those incidents'.
24. In *Greco v General Physics UK Ltd* EAT 0114/16, the EAT held that, while six of the seven acts of sex discrimination about which the claimant complained concerned her manager in some way, the manager's involvement was not a conclusive factor and the employment tribunal had been entirely justified in finding that the seven quite specific allegations concerned different incidents that ought to be treated as individual matters. Accordingly, they were not to be considered as part of a continuing act and, in consequence, some were out of time. The tribunal had not erred in its approach to deciding that it was not just and equitable to extend the time limit for the allegations that had been presented out of time.

25. In *Worcestershire Health and Care NHS Trust v Allen* [2024] EAT 40 the EAT observed that there is no requirement that the 'conduct' extending over a period for the purpose of section 123(3) must all relate to the same protected characteristic. Similarly, there was no reason why conduct extending over a period cannot involve a number of different types of prohibited conduct, such as a mixture of harassment and direct discrimination. It may be more difficult to establish that there has been discriminatory conduct extending over a period where the acts that are said to be linked relate to different protected characteristics and different types of prohibited conduct, but there was no absolute bar that prevents there being conduct extending over a period in such circumstances. In the instant case, the tribunal had found that acts of age-related harassment and discrimination arising in consequence of the employee's disability committed by different individuals at different times were nevertheless linked because they arose in the course of the implementation of a reorganisation. However, the EAT held that it was not enough that incidents were linked and that later events would not have occurred but for the earlier events. For there to be conduct extending over a period there must have been an ongoing situation or a continuing state of affairs that was discriminatory. As the tribunal did not identify anything that could establish a continuing discriminatory state of affairs, the EAT substituted a finding that the two complaints did not form part of conduct extending over a period.

Just and equitable

26. Section 123 (1) of the Equality Act 2010 states that a claim may be considered out of time provided that it is presented within "such other period as the employment tribunal thinks just and equitable".

27. Employment tribunals have a wide discretion to allow an extension of time under the 'just and equitable' test in section 123 of the Equality Act 2010 (*Robertson v Bexley Community Centre t/a Leisure Link* [2003] IRLR 434, CA). In *Robertson*, Auld LJ commented, "there is no presumption that they should do so unless they can justify failure to exercise the discretion. Quite the reverse, a tribunal cannot hear a complaint unless the applicant convinces it that it is just and equitable to extend time, so the exercise of the discretion is the exception rather than the rule." However, in *Jones v Secretary of State for Health and Social Care* [2024] EAT 2, His Honour Judge Tayler noted that there was a 'common practice' among those seeking to argue that time limits should not be extended of relying on the comments in *Robertson* as if they were principles of law. In the EAT's view the propositions of law for which *Robertson* is authority are that employment tribunals have a wide discretion to extend time on just and equitable grounds and that appellate courts should be slow to interfere, and therefore the comments of Auld LJ needed to be viewed in that context.

28. An extension of time does not require exceptional circumstances, just that an extension of time be just and equitable (*Pathan v South London Islamic Centre* EAT 0312/13).

29. In *British Coal Corporation v Keeble and ors* [1997] IRLR 336, EAT the EAT suggested that in determining whether to exercise their discretion to allow the late submission of a discrimination claim, tribunals would be assisted by considering the factors listed in section 33(3) of the Limitation Act 1980.

That section deals with the exercise of discretion in civil courts in personal injury cases and requires the court to consider the prejudice which each party would suffer as a result of the decision reached, and to have regard to all the circumstances of the case, in particular, the length of, and reasons for, the delay, the extent to which the cogency of the evidence is likely to be affected by the delay, the extent to which the party sued has cooperated with any requests for information, the promptness with which the claimant acted once he or she knew of the facts giving rise to the cause of action, and the steps taken by the claimant to obtain appropriate advice once he or she knew of the possibility of taking action.

30. The factors set out in *British Coal Corporation v Keeble and ors* was revisited in *Adedeji v University Hospitals Birmingham NHS Foundation Trust* [2021] ICR D5, CA. The Court of Appeal pointed out that the EAT in that case did no more than suggest that a comparison with section 33 might help 'illuminate' the task of the tribunal by setting out a checklist of potentially relevant factors. It certainly did not say that that list should be used as a framework for any decision. In the Court of Appeal's view, it is not healthy for the *Keeble* factors to be taken as the starting point for tribunals' approach to 'just and equitable' extensions, as they regularly are. Rigid adherence to a checklist can lead to a mechanistic approach to what is meant to be a very broad general discretion, and confusion may occur where a tribunal refers to a genuinely relevant factor but uses inappropriate *Keeble*-derived language. The best approach for a tribunal in considering the exercise of the discretion is to assess all the factors in the particular case that it considers relevant, including in particular the length of, and the reasons for, the delay.

The Tribunal's conclusions

Are any of the grounds for strike out in Rule 38 established?

31. As per the Case Management Order of Employment Judge Dick, the Tribunal was asked to consider if the Claimant's claims for direct discrimination and harassment should be struck out on the basis that the Claimant had no reasonable prospects of establishing that there was conduct extending over a period and/or that it would be just and equitable to extend time. The Case Management Order did not direct that I make those decisions directly, in other words, decide myself whether there was conduct extending over a period and whether it would be just and equitable to extend time, but the exercise I did in considering if the Claimant had reasonable prospects of success in establishing these points, necessarily entailed considering these issues to a certain extent myself. I was however careful to ensure I applied the appropriate test and kept in mind I had not heard the evidence at the trial.
32. In line with the case law above, I was satisfied this was a case where the Claimant's claims had been clarified clearly and set out in a List of Issues at a previous preliminary hearing. The Claimant clarified some points further at the hearing on 3 June 2026 (for example, she explained the allegations about the use of the white board were just made against TA1 and not TA2 and TA3) and I was able to ask her questions to make sure I fully understood what was alleged.

33. I then considered if the Claimant had reasonable prospects of establishing that the alleged behaviour of TA1, TA2 and TA3 amounted to conduct extending over a period. I reached the conclusion that she did not. For the purposes of assessing the Claimant's case, I took the Claimant's case at its highest, as per the guidance in the case law. Therefore, I assumed, she would be able to establish that the conduct had occurred, and that she would be able to show, as she asserted at the hearing, that TA1 and TA2 were friends. I still did not however find the Claimant had reasonable prospects of establishing that the alleged behaviour of TA1, TA2 and TA3 amounted to conduct extending over a period. I considered it was more likely that a Tribunal would conclude that these were three separate allegations against three different individuals, limited to the time in which each one was working as a TA with the Claimant.
34. I did not find that it was likely that a Tribunal would find that the fact that TA1 and TA2 were friends was enough to conclude there was a sufficient causal link between their behaviour so as to suggest that the Claimant was subjected to a continuing state of discriminatory affairs over the period September 2022 (when TA1 started working with the Claimant) and November 2022 (when TA2 stopped working with the Claimant). These were different people working with the Claimant at different times. The complaints the Claimant made at the time about their behaviour were not the same. In other words, she complained about different types of conduct. However, even if the Claimant were to establish a sufficient connection between the behaviour of TA1 and TA2, the Tribunal did not find that the Claimant had reasonable prospects of success in establishing that she was subjected to a continuing state of discriminatory conduct that continued into the period when TA3 worked with the Claimant. The Claimant explained to the Tribunal that TA3 was externally recruited, and that she had a very good relationship with the Claimant to start with. It is therefore unlikely that a Tribunal would find that the Claimant was subjected to a continuing state of discriminatory affairs over the whole period.
35. In the event that I am wrong in the conclusions I have set out above, and the Claimant does have reasonable prospects of success in establishing that there was a course of conduct that extended to the end of the period that TA3 and the Claimant worked together, the last allegations of direct discrimination and harassment are in May 2024, and so all the allegations are still three months out of time.
36. This is not a case where the Claimant can argue that there was a continuing discriminatory state of affairs which started with TA1's conduct (i.e. the first allegation in the direct discrimination and harassment complaints) and extended to the dismissal process (i.e. the allegations complained about in the victimisation complaint) because TA1, TA2 and TA3 were not present for the incident which led to the Claimant's dismissal, and none of them were the decision makers in respect of the Claimant's suspension and dismissal.
37. I then considered if the Claimant has reasonable prospects of success in establishing that it would be just and equitable to extend time. In reaching my decision I kept in mind that this is a wide discretion. The difficulty however is that the Claimant was unable to offer any real explanation for why she did not submit her complaints earlier if she believed she had been

discriminated against and did not put forward any real arguments about why time should be extended. Although there was reference in the response to the Respondent's skeleton argument to a period of poor mental health, this appeared to relate to the period after she was suspended and summarily dismissed. She did have a period of absence from work in late May 2024. She described to the Tribunal that this was because she had become very tired, had high blood pressure and high cholesterol, and some lumps and bumps on her body. She said she had been very tired because her TA had been off work for a period of time earlier that month and so she had to cope alone. She did not suggest she was suffering with very poor mental health over this period such that would have made it difficult for her to submit a claim. Furthermore, she had returned to work by 24 June 2024.

38. The Claimant was asked directly why the Tribunal should extend time for her claims to be heard out of time. She responded that there was a lot going on at time, and she had raised concerns, because she wanted to fix issues in the school. For example, she had thought the school needed new oven gloves. She said she had high standards and wanted to correct these issues. She said she felt because she had these high standards and wanted to improve things, she had been treated differently.
39. Even taking into account the wide discretion that a Tribunal has to extend time on the basis that it would be just and equitable to do so, I did not conclude that the Claimant had reasonable prospects of success with an argument it would be just and equitable to extend time. Although she complained about the TAs at various points, she did not raise a complaint of race or age discrimination, so this is not a case where the Respondent has been on notice of the Claimant's allegations prior to her claim. The Claimant has not been able to explain why she did not submit her claim form in time in respect of the direct discrimination and harassment complaints and has not put forward any credible arguments for why it would be just and equitable to extend time.

Should I exercise my discretion to strike out the claims?

40. I have considered whether I should exercise my discretion to strike out the Claimant's claims of direct discrimination and harassment, and I have concluded that I should. This is not a case where I have concluded that the Claimant's claims do not have reasonable prospects of success in terms of the merits of the claims, but I have concluded that she does not have reasonable prospects of success in persuading the Tribunal to extend time on the basis that it would be just and equitable to do so.
41. The Claimant was given considerable assistance from the Tribunal in trying to see what possible arguments she would put forward regarding why time should be extended. She explained she did not make discrimination complaints at the time because she could not prove that she had been discriminated against, but also because she was not the type of person to complain. She said she was a friendly person who got on with everyone. She said that she would not have brought her claim at all if the Respondent had not planned against her, but they did that because of the safety issues she had raised.

42. The Claimant's suggestion she did not bring a complaint of discrimination,

either at the time of the alleged conduct or before bringing a claim, because she was not someone who made complaints, seemed inconsistent with the fact she did complain about all three TAs behaviour at the time. Further, the Claimant's responses as to why time should be extended focused on her belief she had been suspended and dismissed because she had raised safety concerns, or had high standards, but did not focus on her discrimination complaints.

43. The allegations of direct discrimination and harassment are separate and distinct from the allegations that relate to the Claimant's suspension and dismissal. Her complaints of whistleblowing detriments and victimisation relate to the process that led to her dismissal. Therefore, the Tribunal would not be hearing the evidence about the TAs conduct in any event. If the claims are not struck out the Respondent will have to call three additional witnesses to defend claims that are considerably out of time.
44. The allegations against TA1 and TA2 are several years out of time and the allegations against T3 are several months out of time. If not struck out, by the time of the final hearing in 2028, the Tribunal would be considering allegations against TA1 and TA2 from 6 years ago. This would significantly prejudice the Respondent's ability to defend the claims, given how memories fade. The Claimant has not put forward any credible arguments about why it would be just and equitable to extend time.
45. Overall, I have been persuaded by the Respondent to exercise my discretion to strike out the Claimant's claims of direct race and age discrimination and harassment related to age and race, on the basis that the Claimant does not have reasonable prospects of success in establishing that there was discriminatory conduct extending over a period, which ended on or after 27 August 2024, and has no reasonable prospect of establishing that it would be just and equitable to extend the time limit for bringing the claim.
46. The Claimant's remaining claims of unfair dismissal, detriments on grounds of having made a protected disclosure (whistle-blowing detriments) and victimisation will be determined at the final hearing listed from 18 to 22 September 2028.

Approved by:

Employment Judge Annand

17 July 2026

JUDGMENT SENT TO THE PARTIES ON
12 August 2026

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FOR THE TRIBUNAL OFFICE

Notes

All judgments (apart from judgments under Rule 51) and any written full reasons for judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimant(s) and respondent(s).

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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:

www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/