



EMPLOYMENT TRIBUNALS

Claimant: Mr Garfield Paige

Respondent: OCS Group UK Limited

Heard at: London South (in person) **On:** 1 May 2026

Before: Employment Judge Wright

Representation

Claimant: In person

Respondent: Mr B Frew - counsel

JUDGMENT

The claim was presented outside of the primary time limit. It was reasonably practical for the claim to have been presented in time. As a result, the Tribunal does not have jurisdiction to determine the claim. The claim is dismissed. The final hearing listed for the 5 April 2027 is vacated.

REASONS

1. At the outset of the hearing, the claimant applied for an adjournment. He said that his GP surgery had told him he would have access to legal advice at the hearing. That was incorrect and there is no such provision at the Tribunal. He also said he was unwell.
2. At a later stage in the hearing, the claimant said he was still a member of a union (even though he is not working) and he had been referred to a Law Centre.
3. The application for an adjournment was refused as there was no medical evidence, the claimant had been on-notice of this hearing since 20 December 2025 and he had had an opportunity to seek advice.
4. The claimant was offered an adjournment of 45 minutes to collect his thoughts. He did not take advantage of that offer.
5. The claim form was presented on the 9 May 2025. The time limit expired on the 6 May 2025.
6. Section 111 Employment Rights Act 1996 provides:

- (1) A complaint may be presented to an employment tribunal against an employer by any person that he was unfairly dismissed by the employer.
- (2) Subject to the following provisions of this section, an employment tribunal shall not consider a complaint under this section unless it is presented to the tribunal—
 - (a) before the end of the period of three months beginning with the effective date of termination, or
 - (b) within such further period as the tribunal considers reasonable in a case where it is satisfied that it was not reasonably practicable for the complaint to be presented before the end of that period of three months.

7. In Cygnnet Behavioural Health Ltd v Britton EA-2020-000972-OO the EAT said:

53 ... A person [] who is considering bringing a claim for unfair dismissal is expect to apprise themselves of the time limits that apply; it is their responsibility to so.

...

60 ... Even though during this period he was depressed and had dyslexia, this did not mean that he was incapacitated and it did not mean that it was not reasonably practicable for him to find out the time limits.

8. There is therefore no a clear expectation a claimant will apprise themselves of the relevant time limit.
9. The claimant submitted that he was aware of the time limits. He said that he went to the Post Office to post his claim form and he assumed it would arrive in time. The claimant seemed to suggest that the claim form had arrived at the Tribunal office in time, but that there had been a delay in it being processed. This is not accepted. All post received is opened promptly for the reason that the post may contain one or more claim forms and the time limit is critical. The claimant also claimed he had used some sort of recorded delivery or guaranteed delivery.
10. The claimant had not proof of any guaranteed delivery or any proof of posting. The respondent had taken issue with the time limit in its response presented on the 21 August 2025. The claimant has therefore been on notice of this issue since then. The issue was also set out in a letter to the claimant of the 20 December 2025 which Employment Judge Leith directed to be sent.
11. Mr Frew submitted that the claimant agreed he was aware of the time limit (to which the claimant again said that he was aware) and that was the risk the claimant took by leaving it to the end of the time limit before he presented his claim.
12. The claim is of unfair dismissal and for 'other payments' (which were not specified). The claim form is hand-written and the claimant has completed box 8.2 of the form and used box 14 for continuation purposes. There is no apparent reason why the claimant waited until the end of the limitation period. He said he was upset at being dismissed, he wished to exercise his rights and he was aware of the time limit.

13. The claimant was dismissed on the 7 January 2025. He approached Acas for early conciliation purposes on the 19 February 2025, which ended on the 21 March 2025.
14. As the claimant stated on more than one occasion that he was aware of the time limit, it was reasonably practical to present his claim in time. It was not presented on or before the 6 May 2025. It was not presented until the 9 May 2025 and it was therefore out of time. The claim is therefore dismissed.

Approved by:
Employment Judge Wright
Date: 1 May 2026

Sent to the parties on:
Date: 22 September 2026

Notes

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

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/