**Case Number: 6001777/2026**

# EMPLOYMENT TRIBUNALS

**Claimant:** **Ms M Jones**

**Respondent:** **The Chief Constable of Gwent Police**

**Heard at:** **Cardiff** **On: 9 September 2026**

**Before:** **Employment Judge C Sharp**
**(sitting alone)**

**Representation:**
Claimant: Ms A Sloan-Thomas (Counsel)
Respondent: Mr J Arnold (Counsel)

**JUDGMENT** having been sent to the parties on 10 September 2026 and reasons having been requested by the Claimant in accordance with Rule 60(4) of the Rules of Procedure 2024:

## REASONS

1. The Claimant undertook work as a vetting officer for Gwent Police between 28 October 2024 and 7 January 2025. The evidence in the bundle indicates that the Claimant was not an employee of the Respondent, but an employee of a recruitment agency. I do not make a formal finding of fact to this effect as it was not argued before me today.

2. The Claimant was effectively dismissed from the role at Gwent Police on 7 January 2025 and was very unhappy about that decision. The Claimant did not enter early conciliation with ACAS until 7 January 2026 (which ended on 13 January 2026) and later presented a ET1 claim form. The administrative file shows there is only one claim form, which the Claimant submitted together with a document that she had submitted to the IOPC (Independent Office of Police Complaints) in late November 2025. Her claim was presented on 13 January 2026 and it was rejected.

3. Employment Judge S Moore reviewed the rejection. She accepted the claims of whistle blowing and disability discrimination with effect from 3 April 2026 and refused to restore the notice pay and unfair dismissal claims on

the basis that it appeared that the Respondent was not the employer. It is not my role today to overturn any previous decisions made by other Judges. It does though have a consequence that the claim was presented approximately a year late, taking the most generous way of looking at time limits (time ran from 7 January 2025, the Claimant should have approached ACAS for early conciliation by 6 April 2025). Judge Moore told the parties that in her view there was no discernible claim for whistleblowing in the ET1, which is one issue I have to determine today. The other issue is whether to extend time for the discrimination claims.

4. At the outset of this hearing, I had a constructive conversation with both Counsel. Normally, applying the case of Cox v Adecco and others [2023] EAT 105, the Tribunal would want to analyse what the claims are before making a decision about time limits or other matters. As the Employment Appeal Tribunal sensibly pointed out, how can you make decisions about a claim when you do not know what they are, particularly when one is talking about disability discrimination as time for a claim of failing to make reasonable adjustments can run from a very different date to what a Claimant thinks or any effective date of termination. However, both counsel agreed with my proposal that spending time attempting to identify the disability claims in the ET1 probably was not worthwhile, given that there was no dispute that the claims were out of time by about 1 year as Ms Sloan-Thomas accepted in her submissions.

5. On that basis, therefore there were two consequences. Firstly, I did not need to identify what the claims are other than identifying if there is a claim for whistleblowing in the ET1. It is accepted that the claims are at least 1 year out of time to come to the Tribunal. Second, despite the invitation from Mr Arnold that I should consider the merits of the claims, I do not consider that be fair. How can I consider merits without knowing what the claims are? I did not regard merit as a relevant factor when deciding whether time should be extended.

6. In this judgment, I have not set out at length the relevant law. Each party was represented by Counsel, and the legal summary set out in Mr Arnold's skeleton argument on behalf of the respondent was not challenged (though I did at the outset of the hearing check with Ms Sloan-Thomas she did not need more time to engage with it or take instructions). I accept the legal summary set out within that skeleton, though I would also, for the sake of completeness, add that I considered the case of Abertawe Bro Morgannwg University Local Health Board v Morgan, which is a 2018 Court of Appeal case which says that the application of any factors such as in Section 33 of the Limitation Act does not require the Tribunal to be satisfied that there is a good reason for the delay but the reason for the delay is a relevant matter to which I should have regard. I also bore in mind the case of Hutcheson v Westwood Television [1977] IRLR 69 which indicated that an Employment Tribunal is entitled to take into account anything it considered relevant. The just and equitable test applies under the relevant legislation to extend time for discrimination.

7. There being very few facts that I needed to find to deal with this matter. I have been provided with a 338-page bundle which contains correspondence from the Claimant from the date of her dismissal of 7 January 2025 to a variety of third parties and information about her personal life and her situation. The Claimant gave oral evidence. On behalf of the Tribunal, I was sorry to hear the difficulties that the Claimant has suffered throughout 2025, though I do need to analyse the situation in light of the relevant legal factors.

8. The ET1 in my view does not set out any basis for a whistleblowing claim. The box is not ticked for whistleblowing and nothing in the ET1 itself mentions protected disclosures or detriment. The document attached to the ET1 is a copy of the Claimant's complaint to the IOPC in November 2025 about drinking alcohol by members of the vetting team and a named police officer. There is no explanation how this is a protected disclosure, and it is not obvious on the face of the document. There is nothing said about a detriment due to the disclosure. The Claimant does not link her dismissal to whistleblowing. There is no claim of whistleblowing and no application to amend, and therefore this set of claims must be dismissed.

9. I then turned to the discrimination claims. The reason for the delay is one of the most critical factors that I need to consider. The Claimant relies on several points to explain this. The Claimant said she had Irlen Syndrome, though she accepted that this did not prevent her from being able to write documents or deal with complaints as she did through 2025 to Police Intelligence/Crimestoppers, the Public Services Ombudsman for Wales, a health board, AVMA, the IOPC and the Police and Crime Commissioner for Gwent. The Claimant was also able to email various law firms through the period of delay. Indeed, the evidence before me demonstrates this to be correct. It may well be that it takes the Claimant longer to read documents and to process dense documents, but that does not mean that it took a year for her to bring the claim as she accepted when giving oral evidence. Irlen Syndrome was not the reason why there was the delay.

10. The Claimant's oral evidence that she was not considering an Employment Tribunal claim in January 2025 was not evidence I could accept; it was wholly undermined by the email evidence in the bundle that as early as 7 January 2025, she was considering employment tribunal claims and asked for an employment lawyer/solicitor to advise. I was also unable to accept the Claimant's evidence that both ACAS and the lawyer who did give her some advice in January 2025 failed to tell her about time limits for employment Tribunal claims. It is possible that somebody is very unlucky and one person gave bad advice. I would accept that as a possibility. The likelihood of an employment lawyer and ACAS both failing to tell the Claimant about early conciliation and time limits I find to be incredible and implausible.

11. I also find that the Claimant unreasonably failed to go and check the position about bringing tribunal claims by looking at the internet. As Mr Arnold put to the Claimant, and she accepted, it was a matter of moments to get that

information. She could access the internet as shown by her complaint emails and forms.

12. I, however, had slightly more sympathy for the Claimant on the subject of her "law degree". The common professional exam is not a law degree; it is a diploma. It is a post-graduate course to obtain the minimum of legal knowledge in order to be able to then sit professional exams to become a solicitor or a barrister. It is unlikely that there was any element about employment law because that at the time not a mandatory module in the knowledge of the Tribunal. It is unlikely there was anything in the course about time limits and I do not see how the common professional exam would have time to teach much in the way of legal research. I do not think that this point matters in any event because the Claimant could have obtained information about how to bring a claim in the same way as any person without a degree or qualification through the internet, ACAS or Citizens Advice Bureau, and she did not have an answer as to why she did not. I have already not accepted her evidence that ACAS and a lawyer in January 2025 did not tell her about time limits.

13. I also do not understand why the Claimant thought that making a complaint to Police Intelligence that members of the vetting team had been drinking at a social event and also on holiday was in any way connected to her employment Tribunal claim and would pause the clock to bring a Tribunal claim. The Claimant was not contacted initially about her police intelligence report and therefore was no reason to think that the employment claim was affected. The Claimant did not explain this logic.

14. The Claimant was capable of bringing the claims in time as shown by her actions in 2025. Turning to whether it is just and equitable to extend time, whilst the merit of the claims have not been assessed, the Claimant has not set out if Gwent Police is not the employer, on what basis she was going to argue under the Equality Act, it was therefore liable. I put no weight on merit as a factor for my decision but note the failure.

15. The critical period is January to April 2025 as that is the period that the Claimant should have entered into early conciliation and then presented the claim to the Tribunal. I already have found that the Irlen Syndrome was not affecting her and did not prevent the Claimant from submitting a claim form to the Tribunal.

16. The Claimant has had tragic experiences in 2025 but they appear to be after this relevant period. The Claimant's mother had been unwell for a long time receiving nursing care but there is nothing dealing with the period of January to April that tells me more. The Claimant had health issues but they were not relied upon as preventing her from bringing the claim and she was making complaints to many organisations throughout 2025. The Claimant was made homeless in August 2025 but that is well after the period in which the claim should have been brought.

17. I then turned to the point of prejudice and as Ms Sloan-Thomas fairly pointed out that the Claimant would suffer prejudice if time were not extended, the discrimination claims cannot proceed. What is pertinent though is due to the Claimant's delay, over a year has passed; Mr Arnold referred to this delay as having an effect on the cogency of the evidence. Even in Wales, a relatively swift region of the Employment Tribunal, a delay of a year is more likely than not to mean that things are forgotten. Ms Sloan-Thomas' point in response is that the Respondent knew the Claimant was unhappy about her dismissal. The evidence before me is not clear on this point because it appears that the original report of January 2025 to Police Intelligence (not the team dealing with the Claimant's employment) somewhere got lost in the system; there is no evidence from this that the vetting team was aware. It was not until late 2025 that the Claimant picks up the matter again with the IOPC and the Police and Crime Commissioner. It is therefore entirely possible that documents have gone, and that memories have been affected as there has been no prompt for the Respondent's witnesses to keep thinking about this matter. I find that it is more likely than not that recollections have been affected; I could see that in the Claimant's evidence when she was answering some questions, yet she is the person most likely to remember things, given that from her perspective, she was the victim of what she regards as an injustice.

18. Taking all the factors into account, I have concluded that in the interests of justice time should not be extended as it is not just and equitable to do so. All of the claims are dismissed.

Approved by Employment Judge C Sharp

Date: 17 September 2026

Sent to the parties on:
24 October 2026

Kacey O'Brien
For the Tribunal Office.