



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr D Sidney

**Respondent:** Vertu Motors Plc

**Heard in person at Newcastle**

**On:** 11 and 17 April 2023

**Before:** Employment Judge Aspden

## Appearances

For the claimant: In person

For the respondent: Ms B Clayton, Counsel

## JUDGMENT

1. The Employment Tribunal has jurisdiction to consider the following claims as they were presented within such period as I consider just and equitable and therefore within the period in 123(2) of the Equality Act 2010:
  - 1.1 The complaint that the respondent discriminated against Mr Sidney by dismissing him;
  - 1.2 The complaint that the respondent discriminated against Mr Sidney by rejecting his appeal against dismissal.
2. I do not consider that the claims referred to at paragraph 1 above have no, or little, reasonable prospect of success. Therefore, those claims are not struck out under rule 37 of the ET Rules 2013 and a deposit Order is not made in respect of those claims under rule 39 of the ET Rules.
3. All of the other claims of discrimination, victimisation or harassment made by the claimant are struck out under rule 37 of the ET Rules 2013 on the grounds that the complaints have no reasonable prospect of success. If not struck out, those complaints would have been dismissed on the ground that the Employment Tribunal has no jurisdiction to consider them as they were presented outside such period as the Tribunal considers just and equitable and therefore outside the period in 123(2) of the Equality Act 2010.

4. The Employment Tribunal does not have jurisdiction to consider the claimant's claim for notice pay (ie the complaint that the respondent breached the claimant's contract of employment by dismissing him without notice) because it was brought outside the period in Article 7(c) of the Employment Tribunals (Extension of Jurisdiction) Order 1994. That complaint is dismissed.

Employment Judge Aspden

Date signed 16 May 2023