



EMPLOYMENT TRIBUNALS

Claimant: Miss N Shaposhnikova

Respondent: Wellspring Academy Trust

HELD AT: Sheffield by CVP

ON: 22 January 2021

BEFORE: Employment Judge Little

REPRESENTATION:

Claimant: In person

Respondent: Mrs A Gray, Solicitor (Schofield Sweeney LLP)

JUDGMENT AT A PRELIMINARY HEARING

My Judgment is that:-

1. The complaint brought under the provisions of the Employment Relations Act 1999 section 10 (right to be accompanied) is struck out on the ground that it has no reasonable prospect of success.
2. The complaint of pregnancy discrimination contrary to Equality Act 2010 section 18 (in relation to matters arising in 2017) is out of time and it is not just and equitable to extend time. Accordingly the Tribunal does not have jurisdiction to determine that complaint which is therefore also struck out.
3. The respondent's application that the race discrimination and disability discrimination complaints should either be struck out on the basis that they had no reasonable prospects of success or be subject to deposit orders on the ground that they had little reasonable prospect of success is, in each case, refused.
4. Subject to the claimant being able to establish at trial that the alleged direct race discrimination and harassment related to race amounted to conduct over a period (with the result that time would begin to run from 25 September 2019), and whilst those complaints would nevertheless have been presented out of

time, I consider that it would be just and equitable to extend time to the date of actual presentation on 12 May 2020.

5. Subject as above and on the assumption that the operation of Equality Act 2010 section 123(4) does not put the date when time began to run earlier than 25 September 2019 whilst the disability discrimination complaint (reasonable adjustments) was also presented out of time I extend time to the actual date of presentation on the just and equitable principle.

Employment Judge Little

Date 2nd February 2021