



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs S Ryan  
**Respondent:** Essex Partnership University NHS Foundation Trust (EPUT)  
**Heard at:** East London Hearing Centre (by Cloud Video Platform)  
**On:** 2 August 2021  
**Before:** Employment Judge B Elgot

## Representation

**Claimant:** In person  
**Respondent:** Mr A Webster, Counsel

***This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was by Cloud Video Platform. A face to face hearing was not held because the relevant matters could be determined in a remote hearing.***

The Employment Judge gave Judgment as follows:-

## JUDGMENT

1. The claim for damages for breach of contract under Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 is DISMISSED because an Employment Tribunal has no jurisdiction to hear it.
2. The claim has been brought out of time by reference to Article 7 of the 1994 Order because it was not presented within the period of three months following the effective termination of the Claimant's contract of employment on 31 March 2020. It was not lodged within the extended time limit which applies in relation to the ACAS early conciliation provisions.

3. I am satisfied that it was not reasonably practicable for the Claimant to bring her claim within the primary time limit but thereafter she did not present it within such further period as I consider reasonable and consequently it is out of time.
4. The Respondent applies for a costs order by reference to Rules 74 -78 Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013. There was insufficient time to deal with the application at this Hearing. Accordingly the Respondent shall make a written application stating the grounds on which the application is made by **no later than 23 August 2021** addressed to Employment Judge Elgot and send a copy to the Claimant. A detailed breakdown and calculation of the costs incurred and claimed must be included.
5. The Claimant shall respond to the costs application in writing addressed to the Employment Judge by **no later than 13 September 2021** including information about her ability to pay.
6. Thereafter the Employment Judge will consider the application and the Claimant's written representation and decide whether the matter can be dealt with in writing or whether a further hearing is required.

**Employment Judge B Elgot**  
**Date: 3 August 2021**