



EMPLOYMENT TRIBUNALS

Between

Claimant: Miss D-E Antonescu

Respondent: Royal Borough of Greenwich

Heard at London South Employment Tribunal on 12 May 2017

Before Employment Judge Baron

Representation:

Claimant: The Claimant was not present nor represented

Respondent: Tamar Burton - Counsel

JUDGMENT AT A PRELIMINARY HEARING

The application by the Claimant to add further Respondents is refused.

It is the judgment of the Tribunal that the claim is dismissed.

REASONS

- 1 On 8 March 2017 the Claimant presented a claim to the Tribunal. She stated that she had been employed by the Respondent as a teacher from September 1991 until January 1998. She ticked the boxes in section 8.1 of the claim form ET1 to indicate that she was making a claim of disability discrimination and also under the heading of 'other payments'. She then added the word 'Pension'.
- 2 A large number of documents was attached to the claim form. They were all heavily annotated with comments made by the Claimant. It is very difficult to ascertain from the papers supplied exactly what is being alleged against the Respondent. It is however apparent from those documents,

and others subsequently provided to the Tribunal by the Claimant, that the principal complaint being made by the Claimant is that she is not receiving any pension under the Teachers' Pension Scheme to which she says she is entitled as a result of her employment. The documents include correspondence from the Respondent, the Teachers' Pension Scheme, the Department for Work and Pensions, an MP, and the Department for Education. Her specific complaints against the Respondent appear to be that it has destroyed all relevant records, and that it has not responded to letters from her. It is also alleged that the Respondent did not pay over to HM Revenue & Customs deductions made from her pay.

- 3 Although the Claimant refers to disability discrimination she does not state what that disability is, nor exactly in what manner it is alleged that the Respondent discriminated against her because of that disability, or by reason of anything arising from it.
- 4 The claim was listed for this preliminary hearing to decide whether the Tribunal had the jurisdiction to consider whatever claims the Claimant was making, taking into account the statutory time limits. The relevant time limit is three months from the date when the cause of action accrued, subject to an extension to allow for the ACAS early conciliation process. In this case that period was 28 days. The Tribunal may extend the time limit where it is just and equitable so to do.
- 5 It is the responsibility of a claimant in these circumstances to demonstrate to the Tribunal when the cause(s) of action accrued due, and that the claim was presented within the time limit. Further, if the claim was presented outside of the time limit, then the burden is on the claimant to show why it is just and equitable to extend that time limit. In this case the Claimant has failed to set out exactly what claim(s) is or are being made against the Respondent over which the Tribunal has any jurisdiction, and consequently she has not demonstrated that any such claim(s) was or were made within the time limit. The claim must therefore be dismissed.
- 6 The Claimant has applied for HM Revenue & Customs, the Department for Work and Pensions, the Department

- 7 for Education, the Pensions Advisory Service and the Pensions Ombudsman as additional Respondents to the claim. That application is refused on the ground that the Claimant has not disclosed any claim in respect of which the Tribunal can have any jurisdiction against those bodies.

Employment Judge Baron

15 May 2017