



EMPLOYMENT TRIBUNALS

Claimant: Dr F Donaldson

Respondent: Cwm Taf Morgannwy University Local Health Board

Heard at: Cardiff (by CVP) **On:** 3 August 2022

Before: Employment Judge C Sharp
(sitting alone)

Representation:
Claimant: In person
Respondent: Mr S Nicholls (Counsel)

JUDGMENT

The judgment of the Tribunal is that:

1. the Claimant's claims of unfair dismissal and wrongful dismissal are dismissed due to lack of jurisdiction on the basis that they were presented to the Tribunal outside of the statutory time limit under s111 Employment Rights Act 1996 and it was reasonably practicable for them to have been presented in time;
2. the Claimant's claims of direct race discrimination and victimisation (with the exception of the act alleging that the Respondent had not provided evidence and information in support of the disciplinary allegations made against the Claimant from May 2017 to date) are dismissed due to lack of jurisdiction on the basis that they were presented to the Tribunal outside of the statutory time limit under s123 Equality Act 2010 and it is not just and equitable to extend time;
3. the Claimant's claims of direct race discrimination and victimisation alleging that the Respondent had not provided evidence and information in support

of the disciplinary allegations made against the Claimant from May 2017 to date are left to the final tribunal to determine, both in respect of merits and time limits on the basis that the Claimant is asserting it is a continuing act that continues to this date.

Employment Judge C Sharp
Dated: 3 August 2022

JUDGMENT SENT TO THE PARTIES ON 16 August 2022

FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS
Mr N Roche

NOTE:

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.