



EMPLOYMENT TRIBUNALS

Claimant

Mrs T Brown

v

Respondent

Rotherham, Doncaster and South Humber
Foundation Trust

Heard at: Sheffield **On:** 9, 12, 13 and 14 December 2016
Before: Employment Judge Little
Members: Mrs E M Burgess
Mr K Smith

Appearances

For the Claimant: Mr R Carter of Counsel (instructed by Gosschalks)
For the Respondent: Ms K Nowell of Counsel (instructed by Hempsons
Solicitors)

JUDGMENT

The unanimous Judgment of the Tribunal is that:-

1. The complaint brought under the Employment Rights Act 1996 section 47B (public interest disclosure detriment) fails and is dismissed.
2. The Claimant was not at the material time a person with a disability within the meaning of the Equality Act 2010 section 6 and accordingly her complaint in respect of reasonable adjustments also fails and is dismissed.
3. The complaint of unfair dismissal brought under the provisions of the Employment Rights Act 1996 section 103A (dismissal by reason of a protected disclosure) fails.
4. The complaint of unfair dismissal pursuant to Employment Rights Act 1996 section 94(1) (ordinary unfair dismissal) succeeds.

5. In circumstances where the Claimant was not ready to proceed in terms of remedy the appropriate remedy will now be determined at a hearing on 2 March 2017 (in respect of which Case Management Orders are made in a separate Order).

Employment Judge Little

Date: 23 February 2017

Date sent: 24 February 2017