



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs J E McKeown

**Respondent:** Wirral University Teaching Hospital NHS Foundation Trust

**Heard at:** Liverpool

**On:** 23-26 October 2017

**Before:** Employment Judge Maidment

**Members:** Mrs J L Pennie  
Miss JM Stewart

## Representation

**Claimant:** Ms R Levene, Counsel

**Respondent:** Mr A Gibson, Solicitor

# JUDGMENT

1. The Claimant's complaint pursuant to Section 20 of the Equality Act 2010 is well founded and succeeds. The Respondent failed to make a reasonable adjustment so as to:
  - 1.1 provide a telephone on the Claimant's main x-ray reception desk or alternatively a mechanism for diverting calls made to the Claimant's clerical officer colleague to other staff members in circumstances where the Claimant was required to answer that colleague's telephone on her colleague's daily and lunchtime breaks; and
  - 1.2 enable the Claimant to call upon the assistance of other staff members to meet and direct visiting clinicians so as to avoid the Claimant having to get up from her seat which risked exacerbating the pain caused by her back condition.
2. Further to an agreement reached between the parties, the Respondent is ordered to pay to the Claimant the sum of £8,400 as compensation for injury to feelings.
3. The Claimant's complaints of direct disability discrimination (Section 13) and discrimination arising from disability (Section 15) fail and are dismissed.

Employment Judge Maidment

Date 27 October 2017

JUDGMENT SENT TO THE PARTIES ON

31 October 2017

FOR THE TRIBUNAL OFFICE



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2404496/2016

Name of case: Mrs JE McKeown v Wirral University Teaching  
Hospital Nhs Foundation  
Trust

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 31 October 2017

"the calculation day" is: 1 November 2017

"the stipulated rate of interest" is: 8%

MR S ARTINGSTALL  
For the Employment Tribunal Office