



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs B Burton  
**Respondent:** Cambridgeshire & Peterborough NHS Foundation Trust  
**Heard at:** Cambridge Hearing Centre  
**On:** 2 July 2018  
**Before:** Employment Judge Foxwell

## Representation

**Claimant:** In person  
**Respondent:** Ms B Criddle (Counsel)

The Claimant having claimed disability discrimination by way of an alleged failure to make a reasonable adjustment to her workload in a claim presented to the Tribunal on 3 August 2017.

And upon the Claimant applying on 1 February 2018 to amend her claim to assert discrimination arising from disability by:

- (a) treating her unfavourably on 29 September 2016 when she was called to a meeting to discuss an alleged error;
- (b) treating her unfavourably by extending a capability review in the period May to August 2016;
- (c) treating her unfavourably by reducing her sick pay in December 2016.

And upon the Claimant withdrawing her claim for a redundancy payment.

## PRELIMINARY HEARING (OPEN) JUDGMENT

1. The Claimant's claims of disability discrimination were presented outside the time limit contained in section 123 of the Equality Act 2010.

2. It is not just and equitable to extend time for the presentation of these claims.
3. In the circumstances the application to amend and the claim of disability discrimination are dismissed.
4. The claim for a redundancy payment is dismissed on withdrawal.
5. The claims of unfair dismissal and of breach of contract as to notice are unaffected by this judgment and will proceed to a hearing.

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Employment Judge Foxwell

JUDGMENT SENT TO THE PARTIES ON  
16 July 2018

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FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.