



EMPLOYMENT TRIBUNALS

Claimant: Ms Ann Kilfoyle

Respondent: Wirral University Teaching Hospital NHS Foundation Trust

HELD AT: Liverpool **ON:** 18, 19, 20, 21 & 22 June 2018,
29, 30 & 31 August 2018 (in
chambers) and 23 October
2018

BEFORE: Employment Judge Shotter

REPRESENTATION:

Claimant: Mr D Flood, counsel **Respondent:** Mr A
Gibson, solicitor

JUDGMENT

The judgment of the Tribunal is as follows: -

1. The claimant was unfairly dismissed and her claim for unfair dismissal brought against the respondent is well-founded.

2. The claimant was not automatically unfairly dismissed and her claim for automatic unfair dismissal brought under Section 103A of the Employment Rights Act 1996 against the respondent is not well-founded and is dismissed.
3. The Tribunal found the claimant had contributed to her dismissal under Sections 122(2) and 123(6) of the Employment rights Act 1996 and it is just and equitable to reduce the basic and compensatory award by 30%.

Employment Judge Shotter
23.10.2018

REASONS SENT TO THE PARTIES ON
2 November 2018

FOR THE SECRETARY OF THE TRIBUNALS

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunaldecisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

