



THE EMPLOYMENT TRIBUNAL

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE MORTON

BETWEEN:

Mrs M S Smeaton-Russell

Claimant

AND

South London and Maudsley NHS Foundation Trust (1)

Marieke Wrigley(2)

Respondents

ON: 7 January 2019

Appearances:

For the Claimant: Ms Spenser (Lay representative)

For the Respondent: Ms H Patterson (Counsel)

JUDGMENT

1. The Claimant was a volunteer and not an employee or worker. The Claimant was therefore not in employment for the purposes of s 83(2) Equality Act 2010 ("Equality Act").
2. Her claim that she was discriminated against under s 39(1)(b) and s 39(3) Equality Act in relation to recruitment to the paid post of gallery curator has no reasonable prospect of success and is dismissed.

Employment Judge Morton
Date: 8 January 2019

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.