



EMPLOYMENT TRIBUNALS

Claimant: Miss J Carey

Respondent: Buckinghamshire County Council & Others

Heard at: Watford

On: 28 January 2019

Before: Employment Judge Skehan

JUDGMENT

1. The following claims are struck out by the Employment Tribunal on the basis that they have no reasonable prospect of success:
 - a. The complaints of victimisation contrary to Section 27 Equality Act 2010 and direct discrimination contrary to Section 13 Equality Act 2010 arising from the following circumstances:
 - i. Removing the claimant's personnel file from the work place and storing it in a domestic address of a member of staff; and
 - ii. Destroying documents contained in the claimant's personnel file.
 - b. The complaint that the respondent failed to make a reasonable adjustment under Section 20 Equality Act 2010 by the application of the provision, criteria and/or practice of requiring the claimant to carry out work where the workload was excessive, resulting in the claimant being put at a substantial disadvantage in comparison with persons who are not disabled, in that the claimant's PTSD resulted in the claimant not being able to cope with the workload, and the respondent did not take such steps as were reasonable to avoid the disadvantage where the asserted reasonable adjustment was that

the respondent should have put in place a support plan and tasks plan that the claimant could work to as recommended in occupational health reports (including the report of 5 July 2017).

2. The remainder of the claimant's complaints are unaffected by this judgment.

Employment Judge Skehan

Approved: 6 March 2019

Date:

Sent to the parties on: 7 March 2019

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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.