



VCD

EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Respondent

Miss L Shepherd

AND (1) Nice Smiles (Birmingham) Ltd
(2) Dental Partners Trading Limited
t/a Midlands Smile Centre

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Birmingham

ON 14 March 2019

EMPLOYMENT JUDGE Dean

Representation

For the Claimant: Ms L Campbell, solicitor

For the First Respondent: Mr K Young, lay representative

For the Second Respondent: Mr R Anderson, consultant

JUDGMENT

The judgment of the Tribunal is that

1. The claimant was employed by the First Respondent at the relevant time.
2. The claimant's complaints against the second respondent are withdrawn and the complaints against the second respondent are dismissed.
3. The claimant's application to strike out the respondent's response on the basis that it has no reasonable prospect of success does not succeed.
4. The application to require the respondent to pay a deposit order of £1000 in order to continue their defence of the proceedings against the respondent (rule 39(1)) does succeed.
5. The response submitted by the First Respondent has little reasonable

prospect of success.

6. The respondent is ordered as a condition of being permitted to pursue the defence of each complaint brought by the claimant to pay a deposit of £1000 in respect of each response made in respect of each relevant complaint namely:
 - a. Automatically unfair dismissal
 - b. Unlawful discrimination on the ground of the claimant pregnancy

Employment Judge Dean
14 March 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.