



EMPLOYMENT TRIBUNALS

Claimant: Ms W A McKay

Respondent: Spaldington Parish Council

HELD AT: Hull

ON: 1 March 2019

BEFORE: Employment Judge T R Smith (Judge sitting alone)

REPRESENTATION:

Claimant: Mr A Mugliston of Counsel

Respondent: Miss S Murphy, Solicitor

JUDGMENT

1. The Claimant's application for costs of and occasioned by a hearing listed for 10 October 2018 is not well founded and is dismissed.
2. The Claimant's application for costs of and occasioned by an adjourned hearing listed for 29 January 2019 is not well founded and is dismissed.
3. By consent the Claimant is granted leave to amend her claim form to include a complaint of breach of contract (wrongful dismissal) in accordance with the draft lodged at the Tribunal on 23 November 2018.
4. The Claimant is granted leave to amend her claim form in accordance with the draft lodged at the Tribunal on 23 November 2018 to include a complaint of automatic unfair dismissal contrary to section 103A of the Employment Rights Act 1996.
5. The Claimant is granted leave to amend her claim form in accordance with the draft lodged at the Tribunal on 23 November 2018 to include a complaint of detriment contrary to section 47B Employment Rights Act 1996, the detriment being limited to that pleaded at paragraph 146 of the amended claim form namely her suspension from employment with the Respondent and the disciplinary process. For the avoidance of doubt any further allegations are not

permitted to be pursued as separate claims of detriment although may amount to relevant background information to assist the Tribunal in determining the substantive claims.

Employment Judge T R Smith

Date 8/3/2019

JUDGMENT SENT TO THE PARTIES ON

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.

Public access to employment tribunal decisions

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