



THE EMPLOYMENT TRIBUNALS

Claimant: Mrs C Chatfield

Respondent: Drs Stephen Lumb, Matthew Hackett, Hazel Dendle, Ben Rowley,
Amy Rowan, Katherine Fielder & Victoria Watson
(t/a Weardale Practice)

Heard at: Middlesbrough

On: 4 April 2018

Before: Employment Judge Johnson

Representation:

Claimant: In person

Respondents: Mr L Lane - Consultant

JUDGMENT

1 The claimant's application to amend her claim form is granted with regard to those three amendments set out below. The application to amend with regard to the other three proposed amendments is refused. The three amendments permitted are as follows:-

Amendment 1

- (A) Described in my original claim as 3(a) "biased decision making on promotions and duties. Referring to in September 2015 the restructuring of roles, in January 2017 practice manager role and in March 2017 the medical secretary role not being advertised. I wish to amend my claim to be a breach of express contractual terms in the Employee Handbook (which is contractual) applying the equal opportunities policy sections."
- (B) Training and Selection, point 2 "Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework of this policy."
- (C) Training and promotion referencing and training of staff on the overall policy.

- (D) Monitoring. At worst these events were a breach of the implied contractual term of trust and confidence.

Amendment 2

Described in the original claim as 3(b) "Claimant coerced into doing activities which are not part of her role, which prevented the claimant from training and doing her own role 20% of the time for one year" and judges point 2.5.1 in the preliminary hearing and 2.6 describing my claim of being forced to provide admin cover to train Debbie Maddison. I wish to amend my claim to a breach of an express contractual term. At worst these events were a breach of the implied contractual term of trust and confidence."

Amendment 3

Described in original claim as 3(f) "Lack of performance management at branch site, unfairly marked as "satisfactorily performing" in formal review process to result in "performance plan" poor objectives for upcoming year and the overall timeliness and validity of the process." The failure to carry out timely, fair performance appraisals in 2015/16 and 2016/17 and/or failure to apply the result effectively to the running of the practice has breached the express contractual term in the employee handbook, "We have a staff appraisal scheme in place for the purpose of monitoring staff performance levels with a view to maximising the effectiveness of individuals, details of which are available separately". At worst these events were a breach of the implied term of trust and confidence.

- 2 The claimant's application for an order for specific disclosure of documents is granted, insofar as it relates to those documents numbered below (which are taken from the list attached to the claimant's application dated 6 March 2018:-
- 1 A copy of documentation surrounding interviews/selection process of Claire Chatfield's appointment to dispensing assistant in February 2015.
 - 2 Former manager references received from Derek Playford and Rachel Baker.
 - 3 Signed confidentiality agreement.
 - 5 A copy of Claire Chatfield's 2015/16 performance review meeting notes completed by Sue Everett on 10 August 2016 (Debra Graham oversaw meeting). Whole pack of notes circulated to be completed by both in 17/02 team meeting.
 - 6 Copy of "Suitability of Staffing" policy.
 - 40 A copy of employer response to Debbie Maddison to agree to change in contracted hours referred to as job change in respondent's statement.

- 41 A copy of Debbie Maddison's signed contract main statement of terms after change of hours.
 - 42 A copy of Debbie Maddison's request for training to employer.
 - 43 A copy of employer response to Debbie Maddison to agree to training that took place.
 - 50 A copy of Dispenser advert placed in November 2016.
 - 51 A copy of advert for practice manager.
 - 56 A copy of Debbie Maddison's NVQ dispensing qualification certificates and the practical elements and end of module sign off for all 12 modules. (It is a stipulation by Buttercups that all these are kept for Buttercups to inspect any time after).
 - 57 A copy of advertisement/documents of medical secretary and how it was advertised if not clear in advert.
 - 68 A copy of business management meeting notes of 28 September 2017 relating to the claimant's grievance meeting with Judith Hutchins.
 - 70 Job description for lead dispenser.
 - 71 Job description for SJC branch manager.
 - 72 Job description for practice manager.
 - 73 Job description for new medical secretary March 2017.
 - 74 Job description for new medical secretary September 15-March 17.
- 3 The respondent is ordered to provide copies of those documents to the claimant by not later than **20 April 2018**.

EMPLOYMENT JUDGE JOHNSON

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON 25 April 2018**

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