



THE EMPLOYMENT TRIBUNAL

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE C HYDE, sitting alone

BETWEEN:

Claimant

MISS G LAWRENCE

AND

Respondent

**GUY'S AND ST THOMAS' NHS
FOUNDATION TRUST**

ON: 11 September 2019

APPEARANCES:

For the Claimant: Mr N Clark, Counsel

For the Respondent: Mr A Ohringer, Counsel

OPEN PRELIMINARY HEARING JUDGMENT

The Judgment of the Employment Tribunal is that:

1. All claims of discrimination and/or victimisation under the Equality Act 2010, and unfair dismissal under the Employment Rights Act 1996, other than as set out in the Agreed List of Issues dated 20 August 2019 brought in her two claim forms listed above; and the March 2016 disability harassment allegation which was withdrawn during the hearing on 11 September 2019, were dismissed forthwith on withdrawal.
2. The complaint alleging a failure to make reasonable adjustments at paragraph 14 of the list of issues, in so far as it related to September 2016 was struck out on the ground that it had been presented out of time and the Tribunal had no jurisdiction to determine it under section

123 of the Equality Act 2010.

3. The complaint alleging race harassment as set out in paragraphs 25 – 28 of the List of Issues and paragraphs 2 – 3 of the particulars of complaint in relation to the profile of the WhatsApp group in January 2017 was struck out on the ground that it had been presented out of time and the Tribunal had no jurisdiction to determine it under section 123 of the Equality Act 2010.
4. The Respondent's applications to strike out the complaints on the grounds that they had no reasonable prospects of success were refused.

Employment Judge Hyde

Dated: 21 October 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.

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