



EMPLOYMENT TRIBUNALS

Claimant: Emily Smith
Respondent: Leicester City Council

Heard at: Leicester Hearing Centre, Kings Court, 5A New Walk,
Leicester, LE1 6TE

On: 14 October 2019 (reading day – parties did not attend)
15, 16 and 17 October 2019

Before: Employment Judge Adkinson
Mrs B Tidd
Ms R Wills

Appearances

For the claimant: Mr M Gordon, Counsel
For the respondent: Ms E Gordon Walker, Counsel

JUDGMENT

After hearing evidence from all parties, and considering the documents they have referred the Tribunal to, and after hearing representations from Counsel for the Claimant and Counsel for the Respondent, and after the Claimant withdrew her claim of direct sex discrimination, the Tribunal unanimously concludes that:

1. The complaint of direct sex discrimination (Equality Act 2010 section 13 and Part III) is dismissed;
2. The complaint of failure to discharge duties for considering a request for flexible working (Employment Rights Act 1996 section 80H) was presented out of time but it was reasonably practicable to present it in time. Therefore, the Tribunal does not have jurisdiction to hear it and so it is dismissed; and
3. The complaint of indirect sex discrimination (Equality Act 2010 section 19 and Part III) is dismissed.

Employment Judge Adkinson
Date 17 October 2019

JUDGMENT SENT TO THE PARTIES ON

FOR THE TRIBUNAL OFFICE

Notes

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.