



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Anthony O’Sullivan

**Respondent:** Caerphilly County Borough Council

**Heard at:** Cardiff **On:** 8 April 2020

**Before:** Regional Employment Judge B J Clarke

**Representation:**  
Claimant: Mr David Daycock (counsel)  
Respondent: Mr John Bowers QC (counsel)

## JUDGMENT

1. Having heard from counsel for the claimant and from leading counsel for the respondent, and with the consent of both parties for the purposes of Rule 64 of the Employment Tribunals Rules of Procedure 2013, I dismiss upon their withdrawal these complaints:
  - 1.1 The claimant’s complaint for **breach of contract** (but only insofar as it relates to his contention that the respondent acted in breach of contract by declining to reimburse his legal fees); and
  - 1.2 The claimant’s complaint of **sex discrimination**.
2. This judgment does not affect the claimant’s other complaints of **breach of contract** (concerning the “approved salary” for chief executives, the “national pay award” and returning officer fees), his complaint of **unfair dismissal**, or his intention to apply to amend his claim to include a complaint of **unpaid holiday pay**. These complaints are the subject of discussion and directions set out in a separate case management order.

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Regional Employment Judge B J Clarke  
Dated: 14 April 2020

JUDGMENT SENT TO THE PARTIES ON

.....14 April 2020.....

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FOR THE SECRETARY TO EMPLOYMENT TRIBUNALS