



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondents

Mrs Linda Goodwin

The Secretary of State for Education

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

SITTING AT: London Central

ON: 30 June 2020

BEFORE: Employment Judge T Adkin

BY CONSENT, the Tribunal makes the following judgment and declaration:

1. Pursuant to rule 34 in Schedule 1 to the Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013, Linda Goodwin shall be substituted in place of Mr Lionel Victor Goodwin as the Claimant in this claim.
2. Pursuant to sections 124(2)(a) and 126 of the Equality Act 2010, the Tribunal declares that:

2.1 By providing for a survivor's pension which is less favourable for a widower or surviving male civil partner of the Claimant than for a widow or surviving female civil partner of a female scheme member, regulations 94 and 96 of, and Schedules 8 and 9 to, the Teachers' Pensions Regulations 2010 (as amended) ('the 2010 Regulations') directly discriminate because of sexual orientation and thereby result in a breach of the non-discrimination rule in section 61(1) to the Equality Act 2010.

2.2 Pursuant to section 61(3) of the Equality Act 2010, the 2010 Regulations shall have effect so that a widower or surviving male civil partner of the Claimant shall be entitled to the same pension as he would if he were a widow or surviving female civil partner of the Claimant.

EMPLOYMENT JUDGE - Adkin

DATE 30/06/2020

**Judgment entered in the Register and copies sent to the parties on 07/07/2020
for Office of the Tribunals**