



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms B Loots

**Respondent:** The Governing Body of St Elizabeth Catholic Primary School

**Heard at:** East London Hearing Centre

**On:** 10, 11, 12 & 13 November 2020 (by Cloud Video Platform)

**Before:** Employment Judge G Tobin

**Members:** Ms A Berry  
Ms M Daniels

## Representation

**Claimant:** In person

**Respondent:** Mr G Sims (counsel)

# JUDGMENT

The unanimous Judgment of the Employment Tribunal is that: -

1. The claimant was discriminated against by the respondent, in breach of s18 Equality Act 2010, in respect of the respondent failing to undertake a pregnancy risk assessment.
2. The claimant was discriminated against by the respondent, in breach of s13 Equality Act 2010, in her return-to-work role following her maternity leave. This also amounted to a detriment under s47C Employment Rights Act 1996.
3. The respondent did not discriminate against the claimant in respect of its implementation of its sickness policy.
4. The respondent did not discriminate against the claimant in respect of the claimed threat to withhold her wages.
5. The claimant was constructively dismissed in breach of s95(1)(c) Employment Rights Act 1996.

- 6. The case will be listed for a remedy hearing and case management orders shall be issued separately.**

**Employment Judge Tobin  
Dated: 14 December 2020**