



EMPLOYMENT TRIBUNALS

BETWEEN

CLAIMANT

V

RESPONDENT

Ms S McMillan

**Sussex Community NHS
Foundation Trust**

Heard at: London South
Employment Tribunal

On: 6, 7, 8 & 9 September 2021

Before: Employment Judge Hyams-Parish

Members: Mr A Peart and Ms J Clewlow

Representation:

For the Claimant:

Mr R Owen (Non-legal Adviser)

For the Respondent:

Mr S Sudra (Counsel)

JUDGMENT

It is the **unanimous** Judgment of the Employment Tribunal that:

- (a) The claim of failing to make reasonable adjustments, namely, to allow the Claimant to complete the extended probationary period, and facilitate provision of an Access to Work Programme (or equivalent) is well founded and succeeds.
- (b) The claim of unfavourable treatment because of something arising in consequence of disability (the unfavourable treatment being her dismissal) is well founded and succeeds.

Employment Judge Hyams-Parish
Date: 9 September 2021

Sent to the parties on
Date: 15 September 2021

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.