



EMPLOYMENT TRIBUNALS

Heard at: Croydon (by video) **On:** 10 May 2022

Claimant: Ms Abbie Hill

Respondent: PS Management Services Limited

Before: Employment Judge Fowell

Representation:

Claimant Ms Melanie Sharp, Solicitor, Hawkridge & Company Solicitors LLP

Respondent Mr Tufail Hussain, Consultant, Croner Group

JUDGMENT ON A PRELIMINARY ISSUE

1. At the time of her dismissal the claimant was employed by the third respondent, PS Management Services Limited (**PSMS**).
2. She was not transferred to Sussex Hospitality Limited (previously the first respondent) under either of the transfer agreements dated 29 May 2019 and continued to be paid (and employed) by Dattani Management Services Limited (previously the second respondent).
3. Following the transfer agreement dated 11 December 2019 her employment transferred to PSMS, who continued to pay her maternity pay, and issued her with a form P60 and P45.
4. The date of her dismissal remains to be determined, but her employment ought to have continued with PSMS at the end of her maternity leave.
5. The claims against the other respondents are dismissed and PSMS is the sole remaining respondent.
6. The following case management orders are made for the final hearing.

CASE MANAGEMENT ORDERS

Please read this Order through carefully and diarise the things you have to do

Listing of the final hearings

1. The final hearing will take place over **2 days** from **[Tbc]**, at the London South Employment Tribunal, Montague Court, 101 London Rd, West Croydon CR0 2RF.
2. The case will be heard by an Employment Judge and two non-legal members. The hearing will start at 10:00 am and you must arrive by 09:30 am for a 10:00 am start.
3. This time estimate is based on the intention of the claimant Ms Hill, to give evidence, and PSMS to call one or two witnesses.

Amended Response

4. PSMS may serve an amended response, to arrive with the Tribunal and Mr Hill on or before **27 May 2022**, if so advised, setting out its position in respect of the discrimination claims.

Documents

5. Any further relevant documents shall be provided to the other party, by list and copy, on or before **17 June 2022**.

File of documents for the hearing ('Hearing bundle')

6. The company has primary responsibility for preparing a joint file of documents required for the hearing.
7. The parties must co-operate over the preparation of this bundle, the index for which should be agreed on or before **8 July 2022**. It should include only those documents the parties intend to refer to at the hearing.
8. The company must then provide Mr Hill with a copy, to arrive on or before **15 July 2022**.
9. The file should:
 - a) contain the claim and response forms, any changes or additions to them, and any relevant Tribunal orders at the front of the file, including this one;

- b) the other documents or parts of documents that are going to be used at the hearing, in date order.
10. A copy of the bundle should be provided to the Tribunal at least two working days before the hearing and a further four copies brought to the Tribunal by 9.30 am on the morning of the hearing.

Witness statements

11. Updated or further witness statements must be exchanged by **29 July 2022**.
12. As with the bundle, the company must ensure that sufficient copies of the witness statements are sent to the Tribunal at least two working days before the hearing and four more copies brought to the hearing for the Tribunal to use by 9.30 am on the first morning.
13. Paragraphs 23 to 31 of the case management order made on 13 October 2021 continue to apply.

Employment Judge Fowell

Date 10 May 2022

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Note: 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. If any application for anonymity is to be made that should be included with the request for written reasons.