



EMPLOYMENT TRIBUNALS

Claimant: Miss Rosemary Martin

Respondent2: (1) Bell Lane Primary School & (2) London Borough of Barnet

Heard at: Watford Hearing Centre

On: 28, 29, 30, 31 March 2022 & 1 April 2022

Before: Employment Judge G Tobin

Members: Mr A Scott
Mr C Surrey

Representation

Claimant: in person
Respondent: Mr T Lester (counsel)

JUDGMENT

1. At the outset of the hearing the respondent conceded part of the claimant's claim for unlawful deduction of wages, under s13 Employment Rights Act 1996.

The unanimous Judgment of the Employment Tribunal is that: -

2. The claimant was subject to an unlawful deduction of wages by the respondents in breach of s13 Employment Rights Act 1996.
3. The claimant made a protected disclosure to the respondents under s43B Employment Rights Act 1996.
4. The claimant was not subject to any detriment by the respondents on the grounds her protected disclosure, in contravention of s47B Employment Rights Act 1996.
5. The respondents did not dismiss the claimant because she had made a protected disclosure, in breach of s103A Employment Rights Act 1996.
6. The claimant was disabled within the meaning of s6 Equality Act 2010.
7. The claimant was not discriminated against by the respondents because of

something arising in consequence of her disability, in breach of s15 Equality Act 2010.

8. The respondents did not fail to comply with a duty to make reasonable adjustments arising from s20 Equality Act 2010 and in breach of s21 Equality Act 2010.
9. The respondents did not unfairly dismiss the claimant, in breach of section s94 Employment Rights Act 1996.
10. Compensation in respect of the claimant's outstanding notice, outstanding wages and the shortfall in the redundancy payment was agreed between the parties at £10,616.83
11. The respondents' application for costs was unmeritorious and was refused.

Employment Judge Tobin

6 April 2022

JUDGMENT SENT TO THE PARTIES ON

07 April 2022

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons have been requested and shall be provided in due course.

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All 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.