



EMPLOYMENT TRIBUNALS

Claimant: Mrs P Ellis

Respondent: Wickes Building Supplies Limited

Heard at: Newcastle **On:** 6, 7, 8, 9, and 10 June 2022

Before: Employment Judge S Shore
NLM – Mr S Wykes
NLM – Mr E Euers

Appearances

For the claimant: Ms A Rumble, Counsel

For the respondent: Mr C MacNaughton, Senior Employment Lawyer

JUDGMENT ON LIABILITY

The unanimous decision of the Tribunal is that:

1. The claimant's claim of automatic unfair dismissal for the reason or principal reason that she made a protected disclosure contrary to section 103A of the Employment Rights Act 1996 fails because we find that the claimant did not make protected disclosures.
2. The claimant's claim of unfair dismissal (contrary to section 94 of the Employment Rights Act 1996) fails as we find that she was not constructively dismissed.
3. The claimant's claim that she was subjected to detriment short of dismissal because she made protected disclosures contrary to section 47B of the Employment Rights Act 1996 fails as we find that she did not make protected disclosures.
4. The claimant's claim of breach of contract (failure to pay notice pay) is well founded and succeeds. The respondent shall pay the claimant the agreed sum of **£6,300.00** (gross before deduction of income tax and National Insurance).

5. The claimant's claim of breach of contract (failure to pay wages contractually due) is well founded and succeeds. The respondent shall pay the claimant the agreed sum of **£5,619.24** (gross before deduction of income tax and National Insurance).
6. The claimant's claim of breach of contract (failure to reimburse expenses contractually due) is well founded and succeeds by consent. The respondent shall pay the claimant the agreed sum of **£450.00** (without deductions).
7. The respondent failed to provide the claimant with a statement of change in terms and conditions of employment contrary to section 4(1) of the Employment Rights Act 1996. The respondent shall pay the claimant two weeks' pay, which is agreed as **£1,050.00** (without deductions).
8. The claimant's claim of sex discrimination is dismissed upon withdrawal.

Employment Judge Shore
10 June 2022