



EMPLOYMENT TRIBUNALS

Claimant: Ms P Chapman

Respondent: Pearlcare (Sandford) Ltd (1)
Mr S. Speakman (2)
Ms C. Skellham (3)

HELD AT/BY: Mold – a hybrid hearing **on:** 8th, 11th – 12th July
2022

BEFORE: Employment Judge T. Vincent Ryan
Ms P. Humphreys
Mr M. Pearson

REPRESENTATION:

Claimant: Ms J Whiteley, Solicitor
Respondent: Mr. H. Menon, Counsel

JUDGMENT

The unanimous judgment of the Tribunal is:

1. The claimant's application that late disclosed documents be admitted in evidence is refused in the interests of justice.
2. The following claims are dismissed on being withdrawn by the claimant:
 - 2.1 All claims against the third respondent, who is dismissed as a party to these proceedings.
 - 2.2 The claims of direct sex discrimination and harassment based on allegations:
 - 2.2.1 That there was a requirement by default for the claimant to use an area designated by the second respondent to get changed (a claim made against the first and second respondents).
 - 2.2.2 That there was a lack of appropriate changing facilities for women (a claim against the first respondent)

- 3 The claimant made protected disclosures to the first respondent, information tending to show in her reasonable and genuine belief that the health and safety of residents at the care home at which she worked had been, was being and was likely to be endangered.
- 4 The claimant's claims were presented out of time, save for her dismissal claim, and the Tribunal has no jurisdiction to hear them.
- 5 Alternatively, the claimant's claims of Public Interest Disclosure detriment, (allegedly being shunned, ignored and "branded a trouble maker"), sex discrimination (both direct discrimination and harassment in respect of alleged mis-use of a CCTV camera), fail and are dismissed.
- 6 The claimant's claim of automatic unfair dismissal (a claim that the reason (or, if more than one, the principal reason) for the dismissal was that she made protected disclosures) fails and is dismissed. The claimant was dismissed on 31st March 2021 for a reason related to conduct.

Employment Judge T.V. Ryan

Date: 12.07.22

JUDGMENT SENT TO THE PARTIES ON 19 July 2022

FOR THE TRIBUNAL OFFICE Mr N Roche

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 (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.