



EMPLOYMENT TRIBUNALS

Claimant: Ms N Montana
Respondents: (1) Care Quality Commission
(2) Gill Nicholson
(3) Ian Trenholm
(4) Rebecca Lloyd-Jones
(5) Kate Terroni
(6) Alison Chilton
(7) Peter Wyman
(8) Gina Georgiou
(9) Jacqueline Jackson
(10) Kirsty Shaw
(11) Karen Burrow
(12) Sally Cheshire

AT A PRELIMINARY HEARING

Heard at: Leeds by CVP video conferencing **On:** 9 December 2022
Before: Employment Judge Deeley

Representation

Claimant: In person, assisted by Ms R Ward
Respondents: Mr T Brown, counsel

RESERVED JUDGMENT

1. The following complaints are dismissed on withdrawal by the claimant during the preliminary hearing on 9 December 2022 under the Employment Rights Act 1996 (the “ERA”):
 - 1.1. Health and safety related detriment (s44 ERA);
 - 1.2. Automatically unfair dismissal related to Health and Safety (s100 ERA);
 - 1.3. Victimisation (related to disability); and
 - 1.4. a complaint of failure to provide a written statement of reasons for dismissal (s92 ERA).

2. The following complaints of protected disclosure detriment under s47B ERA shall proceed against the respondents named in the table below only:

<u>Dates</u>	<u>People involved and job titles</u>	<u>What happened (i.e. what was said, to whom, in writing/in a meeting/by phone etc.)</u>	<u>Type of complaint alleged</u>
12 November to 8 February 2022	Gina Georgiou	See paragraphs 9 of the claimant's ET 1 attachment, particularly paragraph 9.1.10.	Whistleblowing detriment (against Ms Georgiou only)
Shortly before 17 November 2021	Alison Chilton	Alison Chilton prepared a letter terminating the claimant's employment which involved " <i>The deliberate construction of untruthful grounds to be intentionally relied upon</i> ".	Whistleblowing detriment (against Ms Chilton only)

3. To the extent that the claimant has brought any other protected disclosure detriment complaints under s47B ERA against any of the respondents to this claim, such complaints are struck out.
4. The applications made on behalf of the First Respondent for strike out and/or a deposit order in relation to the claimant's complaints of:
 - 4.1. protected disclosure detriment; and
 - 4.2. automatically unfair dismissal (relating to protected disclosures) are rejected.

REASONS

The reasons for this judgment are set out in the Case Management Orders relating to the hearing on 9 December 2022 and dated 28 December 2022. This judgment should be read with those Case Management Orders.

Employment Judge Deeley
28 December 2022

JUDGMENT SENT TO THE PARTIES ON
9th January 2023
FOR EMPLOYMENT TRIBUNALS
Jack Dunderdale

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.