Case Number: 1400032/2022

1400033/2022



EMPLOYMENT TRIBUNALS

BETWEEN

Claimants and Respondent

1. Miss Megan Crew Three Milestone Education Ltd

2. Miss Jo Mason

Held at: Exeter by Video On: 20,21,22,23,24,27,28

March 2023

Before: Employment Judge Smail

Appearances

Claimant: Miss K. Gardiner (Counsel)

Respondent: Miss R. Jiggens (Just Reasonable Ltd)

JUDGMENT

- 1. Miss Crew was procedurally unfairly dismissed by the Respondent.
- 2. It is not just and equitable to award her a compensatory award because there was a 100% chance that Miss Crew would have been fairly dismissed anyway.
- 3. Further or in the alternative, Miss Crew contributed to her dismissal 100% by blameworthy conduct.
- 4. The Respondent failed to make a reasonable adjustment under section 20 of the Equality Act 2010 for Miss Mason when it refused her mother to act as a companion at her disciplinary hearing.
- 5. That refusal had the unintended effect of harassing Miss Mason at the disciplinary hearing under section 26 of the Equality Act 2010 by creating a more intimidating environment for her.
- 6. All the other claims brought by the Claimants are dismissed.

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7. There will be a one-day hearing to deal with the Respondent's application for wasted costs and Miss Mason's claim for injury to feelings at the first available date after 2 months.

8. The parties are to send in their dates of non-availability within 7 days.

Full oral reasons were given at the hearing. If any party requires written reasons, they must email the Tribunal within 14 days of this Judgment being sent to the parties.

Employment Judge Smail Date: 29 March 2023

Judgment sent to the parties on 12 April 2023

For the Tribunal Office