



EMPLOYMENT TRIBUNALS

Claimant: Ms. S McCallion

Respondent: Llysywaun Ltd.

LIABILITY JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claimant made the following protected disclosures of breaches of legal obligations and endangerment to health and safety of others:
 - 1.1. To the respondent on multiple occasions between 17 April 2021 and 3 May 2022 in relation to food hygiene at Bay View Nursing Home;
 - 1.2. To the respondent on 5 September 2021, and on 14 September 2021 in respect of staff smoking on the said premises;
 - 1.3. To the respondent on an unspecified date in April 2021 concerning a staff member's conduct towards, and treatment of, a "Service User" at the said premises;
 - 1.4. To the respondent on an unspecified date in September 2021 in respect of the safeguarding of a vulnerable adult resident at the said premises;
 - 1.5. On 18 September 2021 to Care Inspectorate Wales concerning the above disclosures.
2. The respondent subjected the claimant to detriment, by acts "setting her up to fail" on numerous occasions between 17 April 2021 and 3 May 2022 on the ground that the claimant had made the said protected disclosures or any of them.
3. The claimant was unfairly dismissed by the respondent on 3rd May 2022 by reason, or if more than one reason by the principal reason, of her having made the said protected disclosures, or any of them.
4. The sum to be awarded to the claimant, payable by the respondent, is to be assessed at a remedy hearing on a date to be notified.

Employment Judge T. Vincent Ryan
Date: 5th May 2023

Case No: 1601290/2022

JUDGMENT SENT TO THE PARTIES ON 10 May 2023
AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE Mr N Roche