



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Hayley Merritt

**Respondent:** St George's University Hospitals NHS Foundation Trust

**Heard at:** London South (by video)      **On:** 5 May 2023

**Before:** Employment Judge Evans

**Representation**  
Claimant: Ms L Simpson, counsel  
Respondent: Ms L Whittington, counsel

## JUDGMENT

The Claimant's claim of disability discrimination relating to the withdrawal or rescinding of a job offer on 28 April 2022 was presented within the time limit contained in section 123(1)(a) of the Equality Act 2010.

## REASONS

1. The open preliminary hearing this morning had been listed to decide whether the claimant's complaint of disability discrimination relating to the withdrawal or rescinding of a job offer by the respondent had been presented in time. In essence, the respondent had originally argued that the offer had been withdrawn on 19 April 2022 (which would have meant that the claim was presented outside the three-month time limit) whereas the claimant contended that it had been withdrawn on 28 April 2022 (which would have meant that the claim was presented within the three-month time limit).
2. At the hearing this morning the respondent conceded that the offer had been withdrawn on 28 April 2022 and that therefore the claim relating to its withdrawal was in time. I therefore gave the judgment set out above.

Employment Judge Evans

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Date: 5 May 2023

**Case No: 2303534/2022**

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