



EMPLOYMENT TRIBUNALS

Claimant: Mr D Smillie

Respondent: Brooke Young People

Heard at: Exeter by Cloud Video Platform
On: 9, 10, 11, 12, 15 May 2023

Before: Employment Judge Volkmer
Mr K Sleeth
Ms L Fellows

Representation

Claimant: in person
Respondent: Mr MacPhail (Counsel)

JUDGMENT

The judgment of the tribunal is:

1. The Claimant's claim of automatic unfair dismissal is dismissed.
2. The Claimant's claim that the Respondent failed to make reasonable adjustments is dismissed.
3. The Claimant's claim of direct sex discrimination is upheld in relation to allegation 4.2.3 of the list of issues.
4. The Claimant's claim direct sex discrimination is dismissed in relation to allegations 4.2.1, 4.2.2, 4.2.4 and 4.2.5 list of issues.
5. In respect of injury to the Claimant's feelings, the Tribunal orders that the Respondent shall pay to the Claimant an amount of £900 for his injury to feelings.
6. In terms of the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996, it is further ordered that the Respondent shall pay to the Claimant the additional sum of £114.02 representing the total of interest on the award of £900 calculated at the appropriate rate of interest of 8 percent

each year for the period between 15 October 2021 (the discrimination having taken place on an unspecified date in October 2021), and 15 May 2023 being the date of this Judgment.

Employment Judge Volkmer
16 May 2023

SENT TO THE PARTIES ON
30 May 2023 By Mr J McCormick

FOR EMPLOYMENT TRIBUNALS

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 or a written request is presented by either party within 14 days of the sending of this written record of the decision.

In error, the oral judgment did not refer to the interest payable in relation to the injury to feelings compensation, which was awarded to compensate for the loss sustained by the Claimant as a result of the effluxion of time until the capital sum awarded is actually paid.