



EMPLOYMENT TRIBUNALS

Claimant: Ms J Keeper

Respondent: Refuge (a charity and a company limited by guarantee)

Heard at: East London Hearing Centre

On: 23, 24, 25, 29, 30 (in Chambers) & 31 August 2023

Before: Employment Judge John Crosfill

Members: Mrs M Legg
Ms C Clover

Representation

Claimant: Mr S Brittenden of Counsel

Respondent: Mr T Sheppard of Counsel

JUDGMENT

1. The Claimant's claim of unfair dismissal brought under Part X of the Employment Rights Act 1996 is well founded.
2. The Tribunal determined that there was no basis for reducing the compensatory award made under Section 123 of the Employment Rights Act 1996 on the basis that the Claimant could or would have been dismissed fairly.
3. The Claimant's claim that the reason for her dismissal fell within Section 103A of the Employment Rights Act 1996 is not well founded and is dismissed.
4. The Claimant's claims for direct discrimination because of age contrary to sections 13 and 39 of the Equality Act 2010 are dismissed upon withdrawal.
5. The Claimant's claims brought under sections 47B and 48 of the Employment Rights Act 1996 that were set out in her further and better particulars are dismissed upon withdrawal by the Claimant.
6. The Claimant's claims brought under sections 47B and 48 of the Employment Rights Act 1996 relating to a meeting that took place on 7 July 2020 and relating to the decision not to offer the Claimant the role of Director of Service Delivery without any selection process are not well founded and are dismissed.

7. The Claimant's claim brought under sections 47B and 48 of the Employment Rights Act 1996 relating to a meeting on 1 June 2020 was presented outside the statutory time limit set out in Section 48 of the Employment Rights Act 1996 and the tribunal have no jurisdiction to award any remedy in respect of that claim.
8. The matter shall be listed for a further hearing to determine what, if any, remedy the Claimant is entitled to.

**Employment Judge Crosfill
Dated: 1 September 2023**