EMPLOYMENT TRIBUNALS

Claimant: Miss S Molyneaux

Respondent: Apprentify Limited

Heard at:	Manchester (by CVP)	**On:**	28 September 2023
Before:	Employment Judge McDonald		

Representation
Claimant: Mr D Morris (solicitor)
Respondent: Mr P Drew (Director)

JUDGMENT ON LIABILITY

1. The claimant was a disabled person at the relevant times for this claim by reason of dyscalculia and anxiety and depression.

2. The claimant's claim that the respondent discriminated against her because of disability in breach of s.15 of the Equality Act 2010 succeeds in relation to the allegation that she was treated unfavourably because she failed part 1 of her mock exam but fails in relation to the allegation that she was treated unfavourably for not completing part 2 of her mock exam.

3. The claimant's claim that the respondent failed to make reasonable adjustments as required by s.20 and 21 of the Equality Act 2010 succeeds in relation to all the suggested reasonable adjustments.

4. The claimant's claim that she was automatically unfairly dismissed in breach of s.103A of the Employment Rights Act 1996 for making protected disclosures fails and is dismissed.

5. The claimant's claim that her dismissal was an act of unlawful victimisation in breach of s.27 and s.39(4)(c) succeeds.

6. Judgment on remedy has been reserved. The parties may make written submissions on remedy by 4 October 2023.

Employment Judge McDonald

Date 28 September 2023

JUDGMENT SENT TO THE PARTIES ON

3 October 2023

FOR THE TRIBUNAL OFFICE

Notes
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.

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Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.