



EMPLOYMENT TRIBUNALS

Claimant: Miss S Kirkby

Respondent: Action 4 Care Ltd

PUBLIC PRELIMINARY HEARING

Heard at: Newcastle via CVP
2023

On: 23 November

Before: Employment Judge Moss

Appearances

For the claimant: In person

For the respondent: Ms Goodman (Counsel)

JUDGMENT

1. The Claimant's claim of unfair dismissal was presented out of time. It was reasonably practicable for the claim to have been presented in time. The claim is therefore dismissed.
2. The Claimant's application to amend her claim by adding a claim of failure to make reasonable adjustments is refused.
3. The Claimant's application to amend her claim by adding claims pursuant to Section 15 of the Equality Act 2010 that the respondent subjected her to discrimination for something arising from her disability (sickness absence) is granted in relation to the following alleged acts of discrimination:

- i) The respondent investigating her work and timekeeping in August 2022
- ii) The respondent criticising her work over four hours in a meeting on 1 September 2022

Employment Judge Moss

26/11/2023