



EMPLOYMENT TRIBUNALS

Claimant: Mrs R Hussain

Respondent: The Commissioners for His Majesty's Revenue and others

JUDGMENT

The complaints listed below are struck out:

1. Age Discrimination: that in the period October 2019 until December 2020 the respondent sought to downgrade the claimant and/or manage her out of its business by artificially creating performance improvement plans for the claimant and/or failing to make reasonable adjustments for her. The claimant alleged that Mr Bent and/or Mrs Campbell instructed, incited, or encouraged Farzana Malik to that end as an act of victimisation because she had raised concerns about them using the HRACC1 form in February 2019.
2. Age, race, and religion/belief discrimination: that in the period 17 March 2020 until 2 December 2020 Mr Bent threatened the claimant with a Performance Improvement Plan when she complained of the lack of reasonable adjustments.
3. Age, race, and religion/belief discrimination: that in the period April 2020 until November 2020 did Mr Bent tell the claimant that she should work weekends to make up the hours she had missed, when she wasn't able to work her full contractual hours during the week.
4. Age, race, and religion/belief discrimination: that in the period May/June 2020 until May 2021 did the respondent subject the claimant to formal investigation of grievances in respect of insignificant events which were blown out of proportion rather than addressing them informally with the claimant.
5. Age, race, and religion/belief discrimination: that in the period January 2021 to 14 April 2021 did Jenny Hoults delay the claimant's referral to occupational health (so as to enable a grievance to be submitted by Sandra Jackson which she intended would have the effect of delaying any application for Ill Health Retirement and preventing the claimant from being offered a career break by the respondent).
6. Age, race, and religion/belief discrimination: that on or about 14 April 2021 did Jenny Hoults inaccurately complete an occupational health referral and fail to copy it to the claimant because she had used the wrong consent form and had failed to discuss Ill Health Retirement as indicated in the referral.
7. Age, race, and religion/belief discrimination: that the respondent failed to address or engage with the claimant's grievances within a reasonable time or provide a reasonable outcome, namely a grievance discussed verbally with Mr Bent in April 2020 was not concluded until July 2021.
8. Age discrimination: that in March 2020 Mrs Campbell unreasonably instructed the claimant to return to work, when the claimant had been working from home for

seven days, in circumstances where reasonable adjustments were not in place and Mrs Campbell had not informed the claimant that she was entitled to special leave and did not have to work her full contractual hours.

9. Age discrimination: that in the period February 2020 to May 2020 Mrs Campbell failed to follow current procedures and guidance in relation to the making of reasonable adjustments when managing the claimant.
10. Age, race, and religion/belief discrimination: that on or before 14 April 2021 Jenny Hoults shared the claimant's carers passport with other managers without her consent by forwarding an email to which it was attached.

REASONS

1. The claimant was ordered to pay a deposit of **£40.00 in respect of each allegation above** following a preliminary hearing held on **9 March 2023**. The Order was sent to the claimant and an explanatory note was later sent to her on 31 March 2023. The claimant has failed to pay this deposit. The complaints set out above are therefore struck out under rule 39(4) of the **Employment Tribunals Rules of Procedure 2013**.
2. This does not affect the remainder of the claimant's claims.

Employment Judge Edmonds

Date: 8 December 2023