



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss T Martin

**Respondent:** (1) Wandsworth Council  
(2) Tracey Dohel  
(3) Christian Kingsley  
(4) The Governing Body of Ernest Bevin College

**Heard at:** London South

**On:** 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup> & 27<sup>th</sup>  
October 2023

**Before:** Employment Judge Reed, Ms Sansome and Mr Turley

## **Representation**

Claimant: In person

Respondent: Ms Emily Skinner

# JUDGMENT

The unanimous judgment of the Tribunal is as follows:

1. The following complaint of indirect disability discrimination made against the first and second respondents is well-founded and succeeds:
  - a. Application of the school's sickness policy to the claimant's medical appointments, meaning that they were categorised as sickness absence and therefore would be unpaid.
2. The remaining complaints of indirect disability discrimination are not well-founded and are dismissed.
3. The following complaint of failure to make reasonable adjustments made against the first and second respondents is well-founded and succeeds:
  - a. The failure to take steps to continue the previous practice of paying the claimant in relation to her absence for specific medical appointments.
4. The remaining complaints of failure to make reasonable adjustments are not well founded and are dismissed.

5. The complaints of direct disability discrimination are not well-founded and are dismissed.
6. The complaints of unfavourable treatment because of something arising in consequence of disability is not well-founded and are dismissed.
7. The complaints of harassment related to disability are not well-founded and are dismissed.
8. The complaint of unfair dismissal is not well-founded. The claimant was not unfairly dismissed.
9. For the avoidance of any doubt, this means that all claims against the third and fourth respondents are dismissed.
10. Pursuant to the successful claims, the first and second respondents are jointly and severally liable to pay the claimant the following sums:
  - a. Compensation for injury to feelings: £5,000
  - b. Interest on compensation for past financial losses calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: £1,087.90

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Employment Judge **Reed**

Date: 2<sup>nd</sup> November 2023

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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