



EMPLOYMENT TRIBUNALS

Heard at: Croydon (by video) **On:** 4 to 11 December 2023

Claimant: Mrs Francisca Holmes

Respondents: Lewisham and Greenwich NHS Trust

Before: Employment Judge E Fowell

Mr M Simon

Mr F Benson

Representation:

Claimant Winston Brown, Solicitor, Brown & Co. Solicitors

Respondent Camille Ibbotsen of counsel, instructed by Capsticks LLP

JUDGMENT

1. The claimant's resignation did not amount to a constructive dismissal as there was no fundamental breach of contract by the respondent.
2. The complaint of harassment on grounds of religion is dismissed
3. The complaints of discrimination on grounds of race or age is dismissed
4. The complaints of detriments at work for making a protected disclosure are dismissed, on the basis that the claimant did not suffer any detriment for raising concerns.
5. The complaint of automatically unfair dismissal for making a protected disclosure is dismissed.
6. The complaint of unlawful deduction from wages is dismissed on withdrawal.

Employment Judge Fowell

Date 11 December 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.

Public access to employment tribunal decisions

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>