



EMPLOYMENT TRIBUNALS

Claimant: Ms. A. Fazzari Di Pietrantonio
Respondent: Sussex Partnership NHS Foundation Trust
Heard at: London South Employment Tribunal
On: 7th, 8th and 9th February 2024
Before: Employment Judge Sudra
Sitting with Members, Mrs. L. Lindsay and Ms. N. O'Hare

Appearances:

Claimant: In-person (unrepresented)
Respondent: Mr. R. Beaton of Counsel

JUDGMENT

The unanimous decision of the Tribunal is that,

1. The Claimant's complaints of direct sex discrimination in respect of allegations 1.1.3 and 1.1.4 are well founded and upheld.
2. The Claimant's complaints of direct sex discrimination in respect of allegations 1.1.1 and 1.1.2, indirect sex discrimination and harassment related to sex are dismissed.

Remedy

3. The Respondent must within 28 days from 9th February 2024 make payment of the following sums to the Claimant:

| | |
|---|--------------------|
| 3.1 An injury to feelings award in the sum of: | £9,100.00p |
| 3.2 A financial loss award in the sum of: | £3,277.50p |
| 3.3 Interest on injury to feelings award: (£9,100 x 8% x 791/365) ¹ | £1,577.57p |
| 3.4 Interest on financial loss award: (£3,277.50p x 4% x 791/365) | £ 103.70p |
| Total: | £14,058.77p |

Recommendations

4. The Respondent must within 28 days from 9th February 2024 write to the Claimant, following a review of any continuing restrictions in place for working in the Trust. If the restrictions are to continue, the Respondent must explain why and give the Claimant a right to appeal the decision.
5. In light of the Tribunal's findings, the records and entries on the Respondent's systems must be corrected to remove references to '*having a bad attitude and walking off site and leaving patients vulnerable.*'

Employment Judge Sudra

Dated: 9 February 2024

¹ 791 being the number of days from the date of contravention to the date of calculation.

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.