



EMPLOYMENT TRIBUNALS

Claimant: Ms T Williams

Respondent: Liberty Care (Flintshire) Ltd.

HELD AT: Mold **on:** 8th – 10th April 2024

BEFORE: Employment Judge T. Vincent Ryan
Ms C Peel
Mr S Moules

REPRESENTATION:

Claimant: Ms McCracken, Employment Law Caseworker

Respondent: Ms Barley, Consultant

JUDGMENT

The unanimous judgment of the Tribunal is:

1. Whilst the Respondent conceded that the Claimant was, at all material times, a Disabled Person, the Respondent knew, or ought reasonably to have known, that she was disabled by no later than May 2022.
2. The Claimant did a Protected Act when she sent her written grievance dated 29th November 2022 to the Respondent.
3. Harassment - Gender Re-assignment:
 - 3.1. The Claimant's claim that the Respondent harassed her in relation to the protected characteristic of Gender Re-assignment on 4th October 2022, when referring to the efficacy or otherwise of certain medical treatment, is well-founded and succeeds.
 - 3.2. This claim was presented out of time in circumstances where it is just and equitable to extend time to the date of presentation of the claim.
4. The following claims fail and are dismissed:
 - 4.1. Direct Gender Re-Assignment Discrimination;

- 4.2. Harassment in relation to Gender Re-Assignment save as at paragraph 3 above, and in relation to Disability;
- 4.3. Failure to make Reasonable Adjustments;
- 4.4. Victimisation.
5. The Claimant having succeeded with a claim as above, the parties agreed terms of settlement in a document not disclosed to the Tribunal; unless either party applies, by no later than **17th May 2024**, for the matter of Remedy to be restored to the Tribunal's list for hearing, the application for remedy pursuant to the above judgment shall be deemed withdrawn and dismissed; in those circumstances the Tribunal's case file shall be closed without further deliberation or hearing.

Employment Judge T.V. Ryan

Date: 11 April 2024

JUDGMENT SENT TO THE PARTIES ON 12 April 2024

FOR THE TRIBUNAL OFFICE Mr N Roche

Note

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 (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.