



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms K Sayles

**Respondent:** Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust

**Heard in Sheffield**

**On:** 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> August 2024

**Before:** Employment Judge Ayre  
Mr Q Shah  
Mr K Lannaman

## Representation

**Claimant:** Mr A Heeley, the claimant's partner

**Respondent:** Mr A Ross, counsel

# JUDGMENT

The unanimous judgment of the Tribunal is as follows:

1. The claim for pregnancy discrimination is out of time and the Tribunal does not have jurisdiction to hear it.
2. The claim for constructive unfair dismissal is not well founded. It fails and is dismissed.
3. The claim for indirect sex discrimination is not well founded. It fails and is dismissed.
4. The claim for failure to comply with the flexible working provisions in the Employment Rights Act 1996 is well founded and succeeds. The respondent is ordered to pay the sum of £1,377.44 to the claimant.

Employment Judge Ayre

Date: 9 August 2024

JUDGMENT SENT TO THE PARTIES ON

....16 September 2024

.....  
FOR THE TRIBUNAL OFFICE

**Notes**

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

**Public access to employment tribunal decisions**

Judgments (apart from judgments under rule 52) and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://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/>