



# EMPLOYMENT TRIBUNALS

**Claimant:** RST

**Respondent:** Reed in Partnership Limited

## PRELIMINARY HEARING

**Heard at:** Midlands (West) (in public; by video)

**On:** 16 September 2024

**Before:** Employment Judge Camp

### Appearances

For the claimant: in person

For the respondent: Ms A Fadipe, counsel

**N.B. There is a Tribunal order in place preventing the claimant from being identified. Please see the attached Annex A.**

## JUDGMENT & ORDER

1. The claimant's complaint of unfair dismissal is struck out on the grounds that it has no reasonable prospects of success, because she had been employed for less than 2 years when her employment with the respondent ended.
2. Permission to the claimant to amend her claim by adding the following complaints is refused:
  - 2.1 a complaint of unfavourable treatment because of something arising in consequence of disability, relying on the claimant's autoimmune condition as the relevant disability, about weekly 'catch-up' meetings between August and October 2022 which allegedly led to the claimant having to manage an increased workload and complete additional tasks;
  - 2.2 a complaint of breach of the duty to make reasonable adjustments, alternatively indirect disability discrimination, relying on the claimant's mental health conditions as the relevant disability, about lengthy weekly performance meetings, where the claimant was subject to a performance plan, between October 2022 and January 2023.

3. The respondent's application to strike out part or all of the claim, alternatively for one or more deposit orders to be made in relation to part or all of it, on the grounds of lack of prospects of success because of time limits, is refused.
4. The only decision the Tribunal has made connected with time limits that is final and binding is:
  - 4.1 that none of the claimant's complaints is about something which occurred, or about conduct extending over a period ending, on or after the claimant went off sick, on or about 31 January 2023;
  - 4.2 accordingly, that none of his complaints was presented within the primary time limit of 3 months (plus any extension for early conciliation) in section 123(1)(a) of the Equality Act 2010.
5. Reasons were given orally at the hearing. Written reasons will not be provided unless asked for by a written request presented by any party within 14 days of the sending of this written record of the decision.

Employment Judge Camp

16<sup>th</sup> September 2024

## ANNEX A

# ANONYMITY ORDER

1. Subject to paragraph 2, pursuant to rule 50 of the Employment Tribunals Rules of Procedure and section 11 of the Employment Tribunals Act 1996, it is **ORDERED** that it is **prohibited** directly or indirectly to publish in any document entered on the Register or to which any members of the public in Great Britain could lawfully have access (including electronic documents, such as posts on social media or posts/messages on WhatsApp groups, and including posts on private social media groups) and from any audio or video or electronic broadcast to which any members of the public in Great Britain could lawfully have access (again including any such posted on social media, including WhatsApp groups and private social media groups), anything which is likely to lead members of the public **to identify the claimant** as being either a party to or otherwise involved with these proceedings.
2. Paragraph 1 does not prevent the claimant from being referred to by name or otherwise identified during and within any Tribunal hearing; nor does it prevent the respondent from discussing at any time, orally and in writing, the claimant and these proceedings internally, including but not limited to discussions between the respondent's legal team, the respondent's witnesses, the respondent's officers and/or HR, nor does it prevent the respondent from publishing information as required by law.

3. Publication contrary to the above Order is a **criminal offence**. Any person guilty of such an offence shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
4. Within these proceedings, in any document to which the public in Great Britain could lawfully have access (including the Register) the claimant will be referred to as "RST". If a request is made by a member of the public or of the press to see any documents used at this hearing, the claimant's name will, be redacted in those documents.

**EMPLOYMENT JUDGE CAMP  
MIDLANDS (WEST) EMPLOYMENT TRIBUNALS**

**16 SEPTEMBER 2024**