



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Ms H Greer-Waring

v Yorkshire Ambulance Service NHS Trust

Heard at: Sheffield

On: 1, 2, and 3 December 2025

Before: Employment Judge James

Representation

For the Claimant: Represented herself

For the Respondent: Ms N Twine, counsel

JUDGMENT

- (1) The claims of unfavourable treatment (s.15 Equality Act 2010) are not upheld and are dismissed.
- (2) The claims of failure to make reasonable adjustments (ss.20 and 21 Equality Act 2010) are not upheld and are dismissed.

Employment Judge James
North East Region

Dated 8 December 2025

Sent to the parties on:

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For the Tribunals Office

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

All judgments (apart from those under rule 52) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

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/>

ANNEX A – LIST OF ISSUES

1. **Disability**
 - 1.1 The respondent concedes that the claimant had a disability as defined by section 6 of the Equality Act 2010 at the time of events complained about, namely mental impairments of clinical depression and PTSD [86].
2. **Reasonable Adjustments (Equality Act 2010 sections 20 & 21)**
 - 2.1 The respondent concedes knowledge of disability at all relevant times (from late 2020).
 - 2.2 The respondent concedes that it had the PCP of requiring the claimant to carry out the full duties of her substantive role of Emergency Medical Despatcher.
 - 2.3 The respondent concedes that the PCP put the claimant at a substantial disadvantage compared to someone without her disability, because she was not able to carry out the duties of that role, particularly due to PTSD.
 - 2.4 The respondent concedes that it knew or could reasonably have been expected to know that the claimant was likely to be placed at the disadvantage.
 - 2.5 What steps could have been taken to avoid the disadvantage? The claimant suggests:
 - 2.5.1 Allowing and supporting the claimant to obtain further roles on secondment from November/December 2023 onwards, without that affecting her permanent employment status. For example, the role of Project and Programme Officer with the Northern Ambulance Alliance.
 - 2.5.2 Supporting the claimant in finding alternative roles, preferably at Band 3 and placing her in those roles without interview; ~~in particular the roles of Communications Assistant/Adviser which was not offered to the claimant due to lack of IT skills (Excel). The claimant says she could have done that role, if training had been provided.~~ Alternatively, the role of Scheduling Administrator which she did not get an interview for.
 - 2.5.3 Offered the claimant alternative duties on or around 15 May 2024 instead of asking her to take sick leave. The claimant says alternative duties were available for her to carry out in legal services, Datix, or patient safety. The claimant was placed in a reception role instead on 22 May 2024.
 - 2.5.4 Redeploying the claimant into a role at a higher grade role, at least for a trial period, instead of requiring her to compete with others who did not have a disability, for those roles. The claimant says the following roles would have been suitable:

2.5.4.1 Health and Wellbeing Advisor, Band 6, October 2023 (the claimant had an interview but was not successful);

2.5.4.2 Executive Support Officer (Band 5), February 2024 – not shortlisted for interview though the claimant says she met 99% of essential criteria because she had not mentioned on the application form experience of diary and mailbox management.

2.5.4.3 Operational Support Coordinator (Band 4).

2.6 Was it reasonable for the respondent to have to take those steps and if so when?

2.7 Did the respondent fail to take those steps?

3. Discrimination arising from disability (Equality Act 2010 section 15)

3.1 The respondent admits that it treated the claimant unfavourably by (1) dismissing her on 27 June 2024 and (2) upheld that decision on appeal in August 2024?

3.2 The respondent concedes that the claimant's material sickness absence from 2020 onwards arose in consequence of the claimant's disability. Further that her absence from her substantive role was because of her disability.

3.3 The respondent concedes that the unfavourable treatment was because of that something arising.

3.4 Was the treatment a proportionate means of achieving a legitimate aim? The respondent says that its aims were [78/47]:

3.4.1 Ensuring the effective delivery of emergency services by maintaining a workforce capable of fulfilling critical operational roles such as EMD's.

3.4.2 Managing public resources responsibly, particularly in a publicly funded NHS Trust, by avoiding indefinite funding of a substantive post that was not being performed.

3.4.3 Maintaining fairness and consistency in the application of attendance and redeployment policies across the workforce.

3.4.4 Protecting the health and wellbeing of the employee, by not requiring her to return to a role that she herself acknowledged was detrimental to her mental health.

3.5 The Tribunal will decide in particular (bearing in mind any failure to make reasonable adjustments if applicable):

3.5.1 was the treatment an appropriate and reasonably necessary way to achieve those aims;

3.5.2 could something less discriminatory have been done instead;

3.5.3 how should the needs of the claimant and the respondent be balanced?

3.6 The respondent concedes knowledge of disability – see 2.1 above.

4. Time limits

4.1 Given the date the claim form was presented and the dates of early conciliation, any complaint about something that happened before 28 July 2024 may not have been brought in time.

4.2 Were the discrimination complaints made within the time limit in section 123 of the Equality Act 2010? The Tribunal will decide:

4.2.1 Was Acas Early Conciliation commenced within three months of the act to which the complaint relates?

4.2.2 If applicable, was the claim made to the Tribunal within three months (plus early conciliation extension) of the act to which the complaint relates?

4.2.3 If not, was there conduct extending over a period?

4.2.4 In relation to any failure to do something, when did the respondent decide not to do that something; alternatively when did the respondent do an act inconsistent with doing that something; or if there was no inconsistent act, by what date might the respondent reasonably have been expected to do it?

4.2.5 Was Acas Early Conciliation commenced within three months of the end of that period/decision/inconsistent act/date?

4.2.6 If applicable, was the claim made to the Tribunal within three months (plus early conciliation extension) of the end of that period/decision/inconsistent act/date?

4.2.7 If not, were the claims made within a further period that the Tribunal thinks is just and equitable? The Tribunal will decide:

4.2.7.1 Why were the complaints not made to the Tribunal in time?

4.2.7.2 In any event, is it just and equitable in all the circumstances to extend time?

5. Remedy for discrimination

5.1 Should the Tribunal make a recommendation that the respondent take steps to reduce any adverse effect on the claimant? What should it recommend?

5.2 What financial loss has the discrimination caused the claimant?

- 5.3 Has the claimant taken reasonable steps to replace lost earnings, for example by looking for another job?
- 5.4 If not, for what period of loss should the claimant be compensated?
- 5.5 What injury to feelings has the discrimination caused the claimant and how much compensation should be awarded for that?
- 5.6 Has the discrimination caused the claimant personal injury and how much compensation should be awarded for that?
- 5.7 Is there a chance that the claimant's employment would have ended in any event? Should their compensation be reduced as a result?
- 5.8 Should interest be awarded? How much?