



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr E Chandraharan

**Respondent:** St Georges University Hospitals NHS Foundation Trust

## OPEN PRELIMINARY HEARING

**Heard at:** London South Employment Tribunal (via CVP)

**On:** 27 May 2021

**Before:** Employment Judge Webster (sitting alone)

### Appearances

For the claimant: In person

For the respondent: Mr O Isaacs (Counsel)

## JUDGMENT

1. By consent, the respondent's name is amended to St Georges University Hospitals NHS Foundation Trust. Any claims against the individual Ms Jacqueline Totterdell are dismissed.
2. The issue of whether this is a constructive unfair dismissal claim or an unfair dismissal claim is a matter of fact which this tribunal could not decide at a preliminary hearing and remains an issue for the final tribunal.
3. The Claimant's application to amend the claim is partially upheld as follows:
  - (i) With regard to paragraph 21 of the amended grounds of claim, the following paragraphs are allowed as additional information providing clarification of the claimant's claims at paragraph 21(a): k, p, q r.
  - (ii) The other changes to paragraph 21 (namely the addition of paragraphs l, m, n o s and t) are refused.
  - (iii) The remaining changes made by the claimant are allowed/agreed on the understanding that the additional information provided only supports existing heads of claim and does not give rise to new causes of action.

4. Orders have been made to reflect this decision in a separate document.

*Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.*

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**Employment Judge Webster**

Date 27 May 2021