



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Ms N Hinds

v

Mitie Limited

Heard at: Cambridge

On: 31 July, 1, 2, 3 and 4 August, 27 and 31 October 2023, and 1 November 2023; and 1 and 2 November 2023 and 3 January 2024 (Chambers discussion); and 5 January 2024 (Judgment)

Before: Employment Judge Tynan

Members: Mr M Brewiss and Mr D Hart

Appearances

For the Claimants: In person

For the Respondent: Mr Bidnell-Edwards, Counsel

JUDGMENT

1. The complaint of unfair dismissal is well founded. The Claimant was unfairly constructively dismissed.
2. The Claimant's claim that the Respondent discriminated against her contrary to Section 18 of the Equality Act 2010 succeeds as follows:-
 - a. In part in respect of the Respondent's failure to carry out a risk assessment on the Claimant during her pregnancy, Issue 3(j);
 - b. In respect of Mr Kalley and / or the Respondent's failure to deal with, or deal appropriately with, the issues raised in the Claimant's email to Mr Kalley dated 16 October 2020, Issue 3(r); and
 - c. In respect of her complaint that she was constructively dismissed.
3. The Tribunal has jurisdiction to determine the claims as they were brought in time.

4. The Claimant's remaining complaints that she was discriminated against contrary to Sections 13 and 18 of the Equality Act 2010 and subjected to detriment in contravention of Section 47C of the Employment Rights Act 1996, are not well founded and are dismissed.

Employment Judge Tynan

Date: ...13 February 2024.....

Sent to the parties on:
14 February 2024.....

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For the Tribunal Office

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 or a written request is presented by either party within 14 days of the sending of this written record of the decision.