



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs B Lee

**Respondent:** Northern Care Alliance NHS Foundation Trust

**Held at:** Manchester Employment Tribunal

**On:** 5-8 February 2024

**Before:** Employment Judge Barker  
Mr Q Colburn  
Mr M Stemp

**Representation:**

Claimant: In person

Respondents: Mr Gibson, solicitor

## JUDGMENT

**The unanimous judgment of the Tribunal is as follows:**

1. The claimant's claim of constructive unfair dismissal succeeds. She was unfairly dismissed contrary to s98 Employment Rights Act 1996.
2. The claimant's claim for failure to make reasonable adjustments (s20-22 Equality Act 2010) succeeds.
3. The Tribunal did not have jurisdiction to consider the claim for harassment (s26 Equality Act 2010). This was presented out of time and it was not just and equitable to extend time to allow it to be considered.
4. A remedy hearing is to be listed with a time estimate of one day, on a date to be notified to the parties in due course.

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Employment Judge Barker

8 February 2024

JUDGMENT SENT TO THE PARTIES ON  
20 February 2024

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FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS

**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.

**Public access to employment tribunal decisions**

Judgments 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/>