



EMPLOYMENT TRIBUNALS

Claimant: Mr Philip Murphy

Respondent: Private and Industrial Services Limited

Heard at: Liverpool

On: 27 August 2021
9 September 2021
(in chambers)

Before: Employment Judge Ainscough

REPRESENTATION:

Claimant: Ms Mashongamhende (Counsel)

Respondent: Lisa Cross, (Owner)

JUDGMENT

The judgment of the Tribunal is that the claim for unfair dismissal is successful.

REASONS

Introduction

1. The claimant was dismissed from his role as a Cleaner for the respondent, a company providing cleaning services to both private and industrial clients on 18 January 2021.
2. The claimant commenced early conciliation on 22 January 2021 and received the certificate from ACAS on 18 February 2021. The claimant submitted his Employment Tribunal application on 24 February 2021. On 12 March 2021 the respondent submitted a response denying the claim.

Issues

3. The issues for the Tribunal to determine are as follows:-
 - a. Was the claimant dismissed.

- b. What was the reason or principle reason for the dismissal? The respondent says the reason was conduct. The Tribunal will need to decide whether the respondent genuinely believed the claimant had committed misconduct.
 - c. If the reason was misconduct, did the respondent act reasonably in all the circumstances in treating that as a sufficient reason to dismiss the claimant?
4. The Tribunal will decide in particular whether:
- (i) there were reasonable grounds for that belief;
 - (ii) at the time the belief was formed the respondent had carried out a reasonable investigation;
 - (iii) the respondent otherwise acted in a procedurally fair manner;
 - (iv) the dismissal was within the range of reasonable responses

Evidence

5. There was a joint bundle of evidence of eighty-six pages. I heard evidence from the owners of the respondent business, Kevin Cross and Lisa Cross. I also heard evidence from the claimant Philip Murphy. All witnesses submitted written statements as evidence in chief.

The Law

6. The unfair dismissal claim was brought under Part X of the Employment Rights Act 1996.
7. The primary provision is section 98 which, so far as relevant, provides as follows:
- “(1) In determining for the purposes of this Part whether the dismissal of an employee is fair or unfair, it is for the employer to show –**
- (a) the reason (or, if more than one, the principal reason) for the dismissal and**
 - (b) that it is either a reason falling within sub-section (2) or some other substantial reason of a kind such as to justify the dismissal of an employee holding the position which the employee held.**
- (2) A reason falls within this sub-section if it ... relates to the conduct of the employee ...**
- (3) ...**
- (4) Where the employer has fulfilled the requirements of sub-section (1), the determination of the question whether the dismissal is fair or unfair (having regard to the reason shown by the employer) –**
- (a) depends on whether in the circumstances (including the size and administrative resources of the employer’s undertaking) the employer**

acted reasonable or unreasonably in treating it as a sufficient reason for dismissing the employee, and

(b) shall be determined in accordance with equity and the substantial merits of the case”.

8. If the employer fails to show a potentially fair reason for dismissal (in this case, conduct), dismissal is unfair. If a potentially fair reason is shown, the general test of fairness in section 98(4) must be applied.
9. In a misconduct case the correct approach under section 98(4) was helpfully summarised by Elias LJ in **Turner v East Midlands Trains Limited [2013] ICR 525** in paragraphs 16-22. The most important point is that the test to be applied is of the range or band of reasonable responses, a test which originated in **British Home Stores v Burchell [1980] ICR 303**, but which was subsequently approved in a number of decisions of the Court of Appeal.
10. The “**Burchell** test” involves a consideration of three aspects of the employer’s conduct. Firstly, did the employer carry out an investigation into the matter that was reasonable in the circumstances of the case? Secondly, did the employer believe that the employee was guilty of the misconduct complained of? Thirdly, did the employer have reasonable grounds for that belief? If the answer to each of those questions is “yes”, the Employment Tribunal must then go on to decide whether the decision to dismiss the employee was within the band of reasonable responses, or whether that band falls short of encompassing termination of employment.
11. It is important that in carrying out this exercise the Tribunal must not substitute its own decision for that of the employer. The focus must be on the fairness of the investigation, dismissal and appeal, and not on whether the employee has suffered an injustice.
12. The band of reasonable responses test applies to all aspects of the dismissal process including the procedure adopted and whether the investigation was fair and appropriate. The appeal is to be treated as part and parcel of the dismissal process: **Taylor v OCS Group Ltd [2006] IRLR 613**.

Relevant Findings of Fact

Claimant’s employment

13. The claimant has worked as a Cleaner for B and L Cleaning from 7 September 2015. One of the contracts held by B and L Cleaning was for Lidl Supermarket. In February 2020 B and L Cleaning lost the Lidl contract to the respondent, Private and Industrial Services Limited.
14. On 1 April 2020 the claimant’s hours of employment with B and L Cleaning for the Lidl contract transferred over to the respondent. The claimant remained employed by B and L Cleaning on other contracts.
15. The claimant is Dyslexic and slightly Autistic and therefore, when commencing employment with the respondent, it was necessary for Lisa

Cross to read through the various policy statements before the claimant was able to sign to confirm that he was in receipt and understood those policies.

16. One such policy was the health and safety policy statement which was read and signed as understood by the claimant on 3 April 2020. The claimant also received specific Covid 19 training on the same date.
17. The respondent also displayed a sign entitled Covid 19 contact guidance which set out the meaning of contact which included:-
 - (i) Face to face contact within one metre;
 - (ii) Being within one metre for one minute or longer without face to face contact;
 - (iii) Being within two metres of someone for more than fifteen minutes;
 - (iv) Travelled in the same vehicle or a plane;
 - (v) Sexual contacts.
18. The Covid 19 training consisted of a number of questions on a laptop to which the claimant was asked to provide an answer.
19. The respondent also operated a conduct and standards policy which included a mandatory requirement to comply with company operating policies and procedures. That same policy also set out that a breach of the health and safety rules may result in disciplinary action up to and including the termination of employment without notice for gross misconduct. Under the title gross misconduct an example given is "serious breach of health and safety policies and procedures".

Claimant's Covid test

20. On Wednesday 6 January 2021 the claimant drove past a Covid 19 testing station. Despite having no symptoms of Covid 19, the claimant decided to turn around and go for a test. The claimant confirmed he had no symptoms but was given a PCR test. The claimant was then advised to go home and register his test on a website. The claimant had to return to the testing centre to check the postcode of the testing centre in order for him to complete the registration on the website.
21. At that time the Government had issued two types of tests. The PCR test was supposed to be issued to those who had symptoms. In order to obtain a PCR test, an appointment needed to be booked at the test centre and those receiving the test were advised to isolate until the test result was known. Test results were provided within 24 hours.
22. The other type of test was a Lateral Flow Test which was provided to those people who did not have symptoms. No appointment was required for a Lateral Flow Test and instead, people were asked to queue up outside a test centre. Test results were known within the hour and people were not advised to isolate until the test result was known.

Claimant's Covid test result

23. At 6am on Thursday 7 January 2021 the claimant began his shift with the respondent at the Lidl store in Runcorn.
24. In the Lidl Runcorn store, there were signs throughout the workplace stating that if you had particular symptoms or thought that you had Covid, you should not enter the Lidl store.
25. At approximately 6.30 am, the claimant spoke to his supervisor Sarah Murray, and asked her for a work jumper because he was cold.
26. Between 12.40 pm to 1.05 pm, the claimant ate his lunch in the Lidl canteen. A site supervisor, Stephen Ainsworth was in the canteen at the same time.
27. The claimant finished his shift at 2.30 pm.
28. At 7.07 pm the claimant received a text from the NHS stating that his test result was positive, and he had to self-isolate for ten days. At 7.35pm the claimant phoned B and L Cleaning and reported the test result. At 7.37pm the claimant phoned the respondent and spoke to Kevin Cross. The claimant told Kevin Cross that he had tested positive. The claimant sent proof of the positive test result to the respondent.
29. The claimant subsequently spoke with Stephen Ainsworth and Raymond Telford as he had been working with both on that day.

Respondent's response to test result

30. At 8pm Kevin Cross contacted the Lidl Manager Philip Buxton and informed him of the claimant's positive test result. Philip Buxton was unhappy that the claimant had entered the Lidl workplace. Philip Buxton informed Kevin Cross that he had seen the claimant that day coughing. Kevin Cross apologised to Philip Buxton and stated he had not known that the claimant had been for a test.
31. Kevin Cross spoke to Sarah Murray who told Kevin Cross that the claimant had a cold whilst he was at work and that he had been seen by Stephen Ainsworth in the canteen. Kevin Cross then spoke to Stephen Ainsworth who said that the claimant was ill when he saw him in the canteen that day.
32. On Friday 8 January 2021, the respondent sent all staff working on the Lidl contract for a lateral flow test. Within forty minutes all staff received a negative test result and were allowed to return to work.
33. On Saturday 9 January 2021 Kevin Cross contacted the claimant to query why he had not told the respondent that he had been for a test. The claimant was told that Lidl had refused permission for the claimant to go back on site. Kevin Cross told the claimant that he had broken Government guidelines and that there was clear signage around Lidl.
34. The claimant told Kevin Cross that he was passing the library on the Wednesday afternoon and decided to call in and have a test at the centre

near the baths. The claimant told Kevin Cross that he wasn't ill but had called in to get checked out.

35. Kevin Cross offered to find the claimant work elsewhere and said he would be in touch. The claimant told Kevin Cross that he couldn't do any work Monday to Wednesday as he worked for B and L Cleaning on those days. The claimant informed Kevin Cross he was unsure about alternative work. Kevin Cross asked the claimant to let him know if he wanted alternative work by Monday 11 January 2021.
36. On the same day Kevin Cross contacted Lisa Cross to let her know that the claimant had tested positive for Covid 19 and that he should receive sick pay. Kevin Cross told Lisa Cross that Philip Buxton was unhappy and was of the view that the claimant had completely disregarded the Lidl Covid policy and procedure.

Respondent's enquiries

37. On Monday 11 January 2021 Philip Buxton approached Kevin Cross and asked him to look into the situation with the claimant. It was Philip Buxton's view that on the 7 January 2021 the claimant looked unwell and was coughing in the canteen.
38. Lisa Cross subsequently spoke with Stephen Ainsworth and Sarah Murray who told her that the claimant was ill in work on 7 January 2021 when they saw him in the canteen. Both were asked to put their recollections in writing.
39. On Saturday 16 January 2021 Kevin Cross telephoned the claimant and informed him that he had broken Government guidelines and that he must not attend at the Lidl site. The claimant asked Kevin Cross to put his instructions in writing. The claimant was asked to text his address which he did following the phone call.
40. Approximately four minutes after the claimant had sent his address to Kevin Cross, he received a text from Kevin Cross that read as follows:

"Hi Lisa

Sent you his Covid test results it says had it Wednesday 6 January 2021. He went into work Thursday 7 January without waiting for his results. Don't think he has an argument really. Just spreading it".
41. Kevin Cross subsequently phoned Lisa Cross to tell her that the claimant was not allowed on the Lidl site.
42. On Sunday 17 January 2021 the claimant came out of isolation.

Dismissal decision

43. On Monday 18 January 2021 Kevin Cross was approached by Philip Buxton who wanted assurance that the claimant would not visit the site again. Kevin Cross informed Philip Buxton that he had told the claimant and was going to

put it in writing. Philip Buxton told Kevin Cross that if the claimant attended the Lidl site the cleaning contract would be in jeopardy.

44. Kevin Cross subsequently phoned Lisa Cross and asked for a meeting as soon as possible in light of what Philip Buxton had said. A meeting was set up on the same day between Kevin Cross, Lisa Cross and Sarah Murray as a note taker.
45. At the meeting, Lisa Cross confirmed it was a meeting to discuss the claimant breaking health and safety rules and the position taken by Lidl. Kevin Cross informed the meeting that the claimant had told him he had no symptoms and that had only taken a test because he was passing the test site. Kevin Cross explained that he took this explanation as true at the time he initially spoke to the claimant. Kevin Cross informed the meeting that he had advised the claimant that he may be able to find the claimant work elsewhere once the claimant confirmed that was what he wanted.
46. Lisa Cross informed the meeting that staff who had come into contact with the claimant were insistent that he had been ill in work on 7 January 2021. Lisa Cross advised the meeting that this was a breach of the health and safety policy which was gross misconduct. Kevin Cross said he had yet to hear from the claimant as to whether he wanted alternative work. Lisa Cross informed the meeting that the claimant had breached the policy of both the respondent and Lidl and had lied about having no symptoms. Lisa Cross also informed the meeting that Stephen Ainsworth was in isolation despite a negative test.
47. Kevin Cross concluded the meeting by deciding that the claimant had breached the health and safety policy and put workplace staff in unnecessary danger. Lisa Cross confirmed that this amounted to gross misconduct and the claimant would be dismissed.

Notification of dismissal

48. Following the meeting, on the same day, Lisa Cross sent a letter to the claimant headed "termination of employment" and informed him of his dismissal. The letter set out that the respondent was of view that the claimant had attended work on 7 January 2021 knowing he was unwell. The claimant was informed that this was a breach of policy and government guidelines and amounted to gross misconduct.
49. The claimant was told that Lidl did not want him to enter the site under any circumstances and the respondent would arrange for the collection of the claimant's property. The letter concluded by setting out the arrangements for outstanding pay and the P45. Enclosed within the letter was the health and safety policy and copies of the training record signed by the claimant.
50. At 9.35 pm on 18 January 2021 the claimant sent Kevin Cross an email asking him to clarify the telephone conversation on 16 January 2021 and asked for a response by 20 January 2021 as he was meant to be in work on Thursday 21 January 2021. At 11pm Lisa Cross responded to that email and attached a copy of the termination letter.

Claimant's appeal

51. On 19 January 2021 at 9.40 pm the claimant sent an email to Kevin Cross stating that he wished to appeal the decision and asked to be sent a copy of the documents enclosed with the termination letter. The claimant also sought disclosure of minutes of the conversations with staff and minutes of correspondence and evidence from the disciplinary procedure. The claimant queried why his employment had been terminated when Kevin Cross had offered to find him alternative work.
52. On 21 January 2021 the letter sent by Lisa Cross on 18 January 2021 arrived at the claimant's home address with the documents enclosed. As a result, on that date the claimant confirmed receipt but still requested the various minutes that he had outlined in his previous email.
53. On 27 January 2021 Lisa Cross sent a letter with attachments to the claimant by post entitled "follow up to appeal". In that letter she informed the claimant that she was attaching the evidence on which the respondent made the decision to terminate his employment. Lisa Cross enclosed the conduct and standards policy, the handwritten statements of Stephen Ainsworth and Sarah Murray and the minutes of the meeting that took place on 18 January 2021.
54. The handwritten statement from Stephen Ainsworth stated that he had a conversation with the claimant on 7 January 2021 in which the claimant said he had a cold and felt drained. Stephen Ainsworth also recalled that at approximately 11am the claimant asked how long Covid test results took to arrive. Stephen Ainsworth recalled that at approximately 8.30 pm he had spoken with the claimant who informed him he had tested positive for Covid. Stephen Ainsworth said that he told the claimant he shouldn't have come in to work and the claimant informed him that he had no symptoms. Stephen Ainsworth confirmed that his test was negative.
55. Sarah Murray stated that she was in the canteen when the claimant had approached her and said he was not feeling well. Sarah Murray stated that she had asked the claimant what was up and he had stated that he was full of a cold and felt drained. Sarah Murray also stated that the claimant wiped his nose and started coughing.
56. On 29 January 2021 Lisa Cockram a B and L Cleaning manager emailed the claimant to confirm their conversation on 8 January 2021 during which the claimant had informed her of his positive test. Lisa Cockram recalled that she spoke to the claimant for approximately 20 minutes during which he informed her he was feeling well and had no symptoms.
57. On 31 January 2021 the claimant received an email from Maureen Garland, another B and L Cleaning manager in which she confirmed that when she spoke to him on 7 January 2021, he told her he had no symptoms.
58. On 11 March 2021 Philip Buxton provided a signed letter in which he stated that on 7 January 2021 he noticed the claimant struggling, coughing quite a lot and looking rather off colour. Philip Buxton recalled speaking to Sarah

Murray and asked if the claimant was ill and Sarah Murray said that the claimant had not said anything to her.

59. Philip Buxton recalled speaking to Sarah Murray the following day in which he was told that the claimant had tested positive and he immediately informed Sarah Murray that as a result of the claimant attending work with symptoms he was banned from working at the site. It was Mr Buxton's view that there had been a breach of the Covid guidelines and the Lidl procedure.

Submissions

Claimant's Submissions

60. It was submitted by the claimant that the burden of proof was on the respondent to prove that the dismissal was fair, but the respondent's witnesses had already conceded that the procedure was unfair.
61. It was also submitted on behalf of the claimant that he had no symptoms and he was not challenged on this during this hearing. The claimant's representative pointed out that neither of the respondent's witnesses had seen the claimant on 7 January 2021 and had not called those who did.
62. The claimant's representative submitted that the respondent's witnesses had also conceded that they trusted the claimant. It was the claimant's evidence that he would not use the word drained because he did not understand it. It was also submitted that the claimant gave evidence that he sits by himself at work and would be unlikely to report symptoms to others.
63. It was submitted on behalf of the claimant that if the claimant had reported symptoms, they had been reported to managers and supervisors, but nobody sent him home.
64. It was contended that both respondent's witnesses had admitted that a suspension of the claimant following the positive test result was the right thing to do rather than a dismissal. It was also submitted that the respondents had not updated the health and safety policy in light of the pandemic and there was no specific guidance about what to do when having a test.
65. It was submitted that there was a concern about which policies were available during the meeting on 18 January 2021 as there was a contradiction between the witnesses. The Tribunal was asked to note that Kevin Cross had said he had no policies before him when the decision was made to dismiss.
66. It was disputed on behalf of the claimant that he was threatened to come into work. It was also submitted that the claimant did not know which test he was receiving before he took it.
67. It was submitted that there was a complete failure by the respondent to follow the ACAS Code of Practice and there had been no attempt to speak to the claimant during the investigation and before dismissal. It was also submitted that there had been a complete failure to afford the claimant the right of

appeal and the sending of further documents did not satisfy the claimant's right to appeal.

Respondent's submissions

68. The respondent accepted that the claimant had not been invited to the disciplinary meeting and accepted that it should have suspended the claimant. However, it was the respondent's position that the claimant would still have been dismissed regardless of any suspension.
69. The respondent submitted that the claimant understood the training and signed the documents to confirm his understanding.
70. The respondent accepted that there was no written policy about Covid testing, things were changing quickly, and it was difficult to keep up. The respondent contended that the claimant's behaviour amounted to gross misconduct as defined by policy. It was submitted that Lisa Cross as opposed to Kevin Cross dealt with paperwork and that is why he didn't recall seeing the policies.
71. The respondent submitted there was pressure to make a decision because there was a risk of losing the contract and the respondent was worried about other staff and their families. The respondents submitted that the Lidl contract amounted to 45% of their work.

Discussion and Conclusions

Reason for Dismissal

72. The claimant was dismissed by the respondent on 18 January 2021. A decision was taken at the disciplinary meeting, to which the claimant was not invited, and confirmed by way of a letter of the same date. Whilst the letter was posted on 18 January 2021 and received on 21 January 2021, Lisa Cross had in fact emailed it to the claimant on 18 January 2021 at 11pm. The effective date of termination was 18 January 2021.
73. The reason given in the letter of termination was that the claimant had committed a serious breach of the health and safety policies and procedures which amounted to gross misconduct. Therefore, the reason for the claimant's dismissal was conduct which is a fair reason within the meaning of Section 98(2) of the Employment Rights Act 1996.

Reasonableness of Dismissal

Did the respondent have a genuine belief?

Investigation

74. The respondent had a conduct and standard policy but this did not contain a disciplinary procedure in the event of any disciplinary issues.
75. When the respondent became aware that the claimant had taken a test on 6 January 2021 and of the claimant's positive result, questions were asked by

the respondent of their staff as to the claimant's health at work on 7 January 2021.

76. These questions appear to have been prompted by Philip Buxton, the Lidl Manager who recalled seeing the claimant unwell at work. When Sarah Murray and Stephen Ainsworth were spoken to by the respondent, they too said that the claimant was unwell at work.
77. I also note that there is a contradiction between the witness statements of Philip Buxton and Sarah Murray. Philip Buxton recalled speaking to Sarah Murray who said that the claimant had not said anything to her. However, Sarah Murray's statement stated that she had a conversation with the claimant in which he said he was unwell.
78. This contradiction was not considered by the respondent prior to making the decision to dismiss because Philip Buxton did not provide his statement until 11 March 2021. If the respondent had conducted a proper investigation this contradiction could have been explored further.
79. Kevin Cross spoke with the claimant on 9 January 2021 and 16 January 2021. Kevin Cross did not seek the claimant's view on the allegations made by Sarah Murray, Stephen Ainsworth and Philip Buxton on either occasion.
80. It appears that following the threat by Philip Buxton to withdraw the contract from the respondent, the respondent quickly moved to the disciplinary meeting to which the claimant was not invited. Instead the respondent took a view of the evidence collated without input from the claimant and reached the decision to dismiss.
81. The respondent did not conduct a reasonable investigation before reaching the decision to dismiss.

Reasonable Grounds

82. During the course of this hearing the claimant provided evidence of the signs at the test centre which said that it is a non-symptomatic Covid site and a walk-in centre that did not require appointments.
83. The claimant gave evidence that he sat alone in the canteen and did not speak to either Stephen Ainsworth or Sarah Murray about any symptoms. The respondent was not aware of this evidence because it did not ask the claimant for his account.
84. Whilst the respondent relies on the fact that the claimant had a PCR test and was therefore symptomatic, there was a lot of confusion in the midst of the pandemic, and particularly in January following a second lockdown, as to the tests available. In fact, Merseyside, was a pilot site for testing.
85. In January 2021 the government guidance was that if you had symptoms, you should isolate. However, it is not clear whether the claimant was offered a PCR test in error and the fact that he took a PCR test does not lead me to conclude that he had symptoms and was required to isolate.

86. The respondent's witnesses admitted that the health and safety policy had not been updated to deal with the Covid tests. Instead, the respondent's witnesses gave evidence that staff were provided with verbal instructions. The claimant has no recollection of receiving verbal instructions and the respondent has not called any other member of staff to confirm those verbal instructions.
87. The respondent did not have reasonable grounds for fixing the claimant, particularly in light of the fact that the claimant is dyslexic and slightly autistic, with definite knowledge of the procedure to follow after taking a test and therefore, the respondent did not have reasonable grounds for a belief that the claimant's behaviour amounted to gross misconduct.

Did the respondent operate a fair procedure?

88. The respondent failed to follow a disciplinary procedure. The ACAS code of practice about disciplinary procedures sets out the expected standard of a disciplinary procedure. The code of practice states that an employee should be invited to a disciplinary hearing where feasible. The claimant's isolation period ended on 17 January 2021 and therefore he should have been invited to the disciplinary meeting on 18 January 2021. The claimant was denied the right to answer the allegations.
89. In addition, the termination letter makes no reference to a right of an appeal. The ACAS code of practice is clear that a right of appeal should be offered. In any event, the claimant exercised his own right of appeal, but rather than dealing with the claimant's appeal, the respondents simply sent further documentation and failed to consider whether it should review the claimant's dismissal.
90. The respondent witnesses both admitted that they were wrong not to have invited the claimant to the disciplinary meeting. They also both admitted that the correct course of action would have been to suspend the claimant whilst the matter was properly investigated. The respondent's witnesses conceded that suspension would have achieved the same aim as a dismissal, in keeping the claimant from the Lidl site.
91. The respondent did not operate a fair procedure when reaching the decision to dismiss the claimant.

Was the dismissal within the range of reasonable responses?

92. In light of the poor investigation and the lack of reasonable grounds for the respondent's belief in the claimant's misconduct, it cannot be said that the dismissal of the claimant was within the range of reasonable responses.
93. The respondent engineered a process which ensured that it kept the contract with Lidl. The Lidl manager was upset that the claimant had attended the site and banned him from the site. The respondent wanted to ensure that the claimant did not attend the site.

94. I don't find that the claimant threatened the respondent with attending the site. The claimant stated that he needed to know the respondent's position prior to the shift starting on the Thursday 21 January 2021. The respondent's witnesses admitted that a suspension would have achieved the same aim as a dismissal, and this is what should have happened in the circumstances. A suspension would have stopped the claimant from attending the Lidl site and would not have further jeopardised the Lidl contract.
95. I heard evidence that the respondent provided services to other sites and in fact, an alternative would have been to redeploy the claimant to another site at the end of his isolation as was offered on 9 January 2021.

Conclusion

96. The claimant's claim of unfair dismissal is successful. The respondent did not have a fair reason for dismissing the claimant and in addition, the procedure followed by the respondent, was unfair.

Employment Judge Ainscough

21 December 2021

JUDGMENT AND REASONS
SENT TO THE PARTIES ON

22 December 2021

FOR THE TRIBUNAL OFFICE

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