



EMPLOYMENT TRIBUNALS

Claimant **Miss K Carter**

Respondents

- 1 The Chief Constable of Gloucester Constabulary**
- 2 The Chief Constable of Wiltshire Constabulary**
- 3 The Chief Constable of Avon and Somerset Constabulary**

Heard at: Worle (Bristol) On: 31 October, 1, 2, 3 November 2017

Employment Judge: M Street
Members Ms G Meehan
Mr E Beese

Representation

Claimant: Mr Stephenson, counsel
Respondent: Mr Arnold, counsel

JUDGMENT

The complaint of indirect sex discrimination succeeds. The respondents unlawfully discriminated against the claimant by applying a provision, criterion or practice which was discriminatory in relation to the protected characteristic of sex in the way that the respondents afforded the claimant access to opportunities for promotion transfer training or other benefits.

1 It is recommended that within a year (and in any event before the next selection exercise) the Respondents take the following actions in relation to dog-handler recruitment:

1.1 We recommend using the National College Job-Related Fitness Test for cardiovascular fitness, specifically, and then that the respondents (through Tri-Force) specifically identify the standards required as necessary for physical function and stamina to perform the role of dog handler, with reasons, and produce a scoring matrix on that basis, as part of a multi-factorial assessment. If some aspect of that test is to be determinative, that is, capable of leading to failure or disqualification

independently of the multi-factorial assessment, then the measures used must be justifiable on as objective a basis as possible.

1.2 We recommend that the respondents continue to liaise with other forces to assess what tests are available and justifiable for assessing the suitability of dog handlers for selection and that they initiate and/or participate in validation exercises to establish objective approaches to measurement consistent with their overall aims.

1.3 Any assessment used must undergo Equality Impact Assessment and monitoring to assess adverse effect.

1.4 We recommend that individuals designing and setting criteria for suitability assessments and carrying out assessments of suitability and in monitoring adverse impact on or on behalf of the respondents / Tri-Force, to include Human Resources officers, undergo face to face Equality Training.

1.5 We recommend that access to data and other services from each of the three forces relevant to monitoring and evaluation of suitability in selection exercises be available to the Human Resource lead for the respondents / Tri-Force.

2 The Respondent is ordered to pay the Claimant compensation of £14930.30 which includes interest of £805.72.

Employment Judge Street

Date: 08 November 2017

JUDGMENT SENT TO THE PARTIES ON

.....

.....
FOR THE SECRETARY TO THE TRIBUNALS