



EMPLOYMENT TRIBUNALS

Claimant: Miss C Gardner

Respondent: Values in Care Ltd

Heard at: Cardiff

Before: Employment Judge C Sharp **On:** 4 July 2024
(sitting alone)

Representation:

Claimant: In person

Respondent: Mr M Clohessy (Trainee Solicitor)

JUDGMENT

1. The following claims are struck out and dismissed on the grounds that the Tribunal does not have jurisdiction to hear them, either because they are not within the jurisdiction of the Tribunal in their own right or in the case of failure to give adequate breaks the Claimant did not bring the claim in time when it was reasonably practicable to do so:
 - a) failure to give adequate breaks;
 - b) defamation;
 - c) breach of confidentiality;
 - d) bullying.
2. The claim of harassment defined as “emails late in evening and calls; multiple staff from head office contacting with actions to concerns raised” is permitted to proceed on the basis that the Claimant says this is harassment relating to her disability. Such a claim is within the jurisdiction of the Tribunal. However, no application to amend has been made or considered and this decision simply allows the application to be made, not granted.
3. The claim of “overloading with the work of others” is permitted to proceed as disability discrimination (head of claim as yet undefined) but only in respect of “Multiple emails to overload”. This could be within the jurisdiction of the Tribunal. However, no

application to amend has been made or considered and this decision simply allows the application to be made, not granted.

Employment Judge Sharp

Dated: 4 July 2024

ORDER SENT TO THE PARTIES ON 8 July 2024

FOR THE SECRETARY TO EMPLOYMENT TRIBUNALS Mr N Roche

Notes

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 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/>