



EMPLOYMENT TRIBUNALS

Claimant

Mrs A Bethwaite

Respondent

v North West Ambulance Service NHS
Trust

Heard at: Manchester (by Cloud Video Platform (by 'CVP'))

On: 9, 10 & 11 March 2021

Before: Employment Judge Johnson

Members: Ms C Clover
Mr A Clarke

Appearances

For the Claimant: Ms S Johnson

For the Respondent: Ms R Levene

JUDGMENT

1. The complaint of unfair dismissal was not well founded and is dismissed. This means that this complaint was unsuccessful.
2. The claimant was disabled within the meaning of section 6(1) Equality Act 2010 by reason of her back condition (bulging discs and facet joint hypertrophy) at the material time, being the date of her dismissal by the respondent.
3. The complaint of discrimination arising from a disability contrary to section 15 of the Equality Act 2010 is unsuccessful and dismissed. This is because although the claimant was dismissed by reason of a sickness absence which arose in consequence of her disability, the respondent's decision to dismiss was a proportionate means of achieving a legitimate aim.

Employment Judge Johnson

Date: 11 March 2021

Sent to the parties on:
16 March 2021

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.