

MS AA VAUGHAN V LONDON BOROUGH OF LEWISHAM & OTHERS: CLAIM NOS: 2318353/2010 & 2330171/2010 & 2300245/2011

CLAIMANTS CHRONOLOGY

COLOUR CODE: **Black:** Key events; **Green:** Very significant events; **Blue:** Events relating specifically to Claimant's health; **PURPLE:** Unreasonable delays

	DATE	EVENT/ SUMMARY OF ISSUE	Bundle	Claimant's Witness statement
1.	CENSORED	The Claimant was born in London of African origin		
2.	1/3/2004	The Claimant commences employment with the Connexions service- London East Connexions Partnership (LECP)	[P671-P678]	Para 1
3.	28/4/2008	Claimant advises Prospects about medical condition (hypertension). The Claimant is subsequently withdrawn from Lewisham College	[P684 & P685]	Paras 13, 56, 308 – 309 & 525
4.	May 2008	Benjamin Craig begins to co-line manage Claimant alongside Laurence Bainbridge	[P712]	Para 56
5.	August 2008	The Claimant's employment transfers to Careers Enterprise LTD (VT Enterprise) Sue Ely, Paul Kelly, Adam Bucky and Andrea Ward, Marcus Watson and Alexander Khan are/were employed by BED (at paragraph 1 of their witness statements) and the Equality form response.	[P697 – P698]	Para 3
6.	25/6/2009	The Claimant commences a period of sickness absence which lasts for 3 weeks- due to stress at work	[P727 & P728]	Para 12
7.	25/7/2009	The Claimant returns to work and continues to work under the same conditions), where the problems continue	See opposite	Paras 10 – 11

		[P721 - P726, P728 – P729, P732, P785 – P786] There were staff shortages and work at the centre was stressful [P822, P826, P842, P846, P892, P904, P921, P948, P952, P955, P959, P966, P972, P973, P979, P990, P1087, P1121, P1092, P1106, P1116, P1130, P1141, P1142- P1143, P1337A - P1337B, P1528, P1534, P1552, P1590, P1604, P1653, P1665, P1920, P1927, P1929A & P1938] and (paragraph 15 of Anthony Marshall’s statement)		14 – 18, 50 & 310 Ben Craig - para 27
8.	Between 4/9/2009 & 1/10/2009	The Claimant and her colleague Cathy Robinson raise concerns and engage in the initial correspondence about the alleged data protection breach and request that the company investigate what happened	[P739 - P750]	Para 20 Adam Buckby – Para 3
9.	1/10/2009	The Claimant and colleague Cathy Robinson are <u>advised by Adam Buckby to take out a grievance in relation to the alleged data protection breach</u>	[P764]	
10.	13/10/2009	The Claimant requests that her employer withdraws her from the Youth Offending Service (YOS)	[P787 - P788]	Para 27
11.	Between 14/10/2009 & 20/10/2009	The Claimant and colleague Cathy Robinson, request that management meet jointly with them for the grievance hearing about the alleged data protection breach [P793 -P795 & P799 – P799A: page 799A has been paginated by hand by the respondent]	See opposite	Paras 31 - 32
12.	21/10/2009	The Claimant attends a meeting with Beverly Bannister, Benjamin Craig, Carroll Garraway and Adam Buckby regarding her withdrawal from the YOS	[P807]	Para 30

13.	26/10/2009	Theresa Peter's e-mails Adam Buckby and claimant regarding Cathy Robinson's sickness absence	[P811]	Para 31
14.	27 October 2009	The Claimant contacts Adam Buckby to advise that she would like the joint grievance hearing to be postponed. Adam Buckby responds to this request	[P811 - P812]	Para 32
15.	28/10/2009	The Claimant e-mails Beverly Bannister about the newly imposed lunch hour rule advising of the impact on her health. Other staff also express concerns.	[P814] [P843]	Paras 33 - 35
16.	29/10/2009	Beverly Bannister responds to Claimant's e-mail regarding the lunch hour, advising that she would speak to Ben Craig about this and feedback Later that day the Claimant is involved in an incident whilst on reception duty. Claimant e-mails Beverley Bannister and Benjamin Craig about the incident Theresa Peters e-mail's claimant advising her that the incident has been reported to Beverly Bannister Claimant completes an incident form and Neil Cox completes a witness statement	[P816]. [P822] [P827] [P823 – P825 & P826]	Para 36 Paras 37 – 47 Para 42 Para 43 Paras 37 & 43
17.	30/10/2009	Theresa Peters sends the incident documents to Margaret Jones and copies in claimant, her colleague Neil Cox and all the centre managers- Beverly Bannister, Benjamin Craig and Ethel Punter	[P827 & P828]	Para 43

18.	Between 3/11/2009 & 5/11/2009	<p>There was correspondence regarding the CRB renewals. Adam Buckby sent a group e-mail out to seven members of staff (including the claimant) giving them all the deadline of 6 November 2009 to respond regarding CRB renewals</p> <p>On 4 November 2009 Adam Buckby e-mails Claimant to state that her existing CRB is no longer relevant and advises her that the company is in breach of its contract with Lewisham Council</p> <p>Carroll Garraway seeks written assurances that the information will be safeguarded and Adam Buckby states that he cannot do this</p> <p>On 5 November 2009, at 9.43 am Claimant receives an e-mail from Ruth Johnson regarding the CRB issue</p> <p>The claimant leaves work early due to feeling unwell, and subsequently commences her first period of long-term sickness which would last 10 weeks. At 4.42pm, the Operations manager Beverly Bannister sends an e-mail out to the claimant regarding the CRB issue</p>	<p>[P835 – P836]</p> <p>[P849]</p> <p>[P850, P850A & P851]</p> <p>[P857]</p> <p>[P886]</p>	<p>Para 48</p> <p>Para 48</p> <p>Para 51</p> <p>Para 53</p> <p>Paras 53 - 54</p>
19.	10/11/2009	The Claimant visits her GP and reports ongoing symptoms of stress, high blood-pressure, anxiety, sleep deprivation, tiredness, and a change in her eating habits, headaches and palpitations	[P2366]	Para 59
20.	16/11/2009	(Incorrect date cited in witness statement)- Whilst on sick leave Claimant e-mails Adam Buckby, (copying in Carroll Garraway, Beverly Bannister, Benjamin Craig and Mick Simpkin), <u>requesting financial assistance with credit monitoring</u> . She also asks that the CRB grievance be dealt with in her absence because of health reasons	[P897]	Para 60

21.	17/11/2009	<p>There is e-mail exchange between Adam Buckby, Carroll Garraway and the Claimant regarding her request for assistance with credit monitoring fees.</p> <p>Later that day Claimant sends an email to her union rep Carroll Garraway, (copying in her line manager) Benjamin Craig, <u>expressing my distress about Adam Buckby's and management's conduct</u></p>	<p>[P898 & P899]</p> <p>[P902 - P903].</p>	Paras 61 - 68
22.	18/11/2009	The Managing Director Marcus Watson sends an e-mail out to staff in all boroughs regarding CRB's	[P903A]	Para 67
23.	23/11/2009	The Claimant visits her GP and reports ongoing symptoms of stress, high blood-pressure, anxiety, sleep deprivation, tiredness, and a change in my eating habits, headaches, palpitations and a low mood. She is referred for counselling	[P2367]	Para 68
24.	1/12/2009,	The Claimant receives an email from Adam Buckby stating that <u>the company is not prepared to pay for the credit monitoring</u>	[P920]	Para 69
25.	7/12/2009	The Claimant attends her appointment for a counselling assessment at her GP surgery with Valerie Eaton. The counsellor advises that she believes that the claimant is suffering from 'reactive depression.'	[P2369, P2371 - P2372 & P2376 – P2378]	Para 70
26.	9/12/2009	GP signs Claimant off with 'stress, anxiety and panic attacks'	[P2370]	Para 71

27.	10/12/2009	The Claimant lodges a grievance alleging 'Intimidation and bullying by Adam Buckby and HR'. <u>Adam Bucky sends an e-mail in response</u> . Shortly after Adam Buckby re-calls his e-mail response	[P923 - P924, P925 & P928]	Paras 72 - 73
28.	11/12/2009	The Claimant lodges a grievance alleging 'lack of support from management and HR'. Adam Buckby e-mails Cathy Robinson regarding hearing date and states that it is unreasonable for a grievance to be carried over for 4 months without a resolution	[P929 – P930]	Para 74
29.	16/12/2009	Adam Buckby admits that the delays regarding the grievances are unreasonable	[P940]	
30.	21/12/2009	The Claimant receives two letters from Adam Buckby regarding her grievances against himself, HR and management. She is advised that Beverly Bannister has been appointed to hear the grievance	[P942 - P943]	Paras 77 – 78 & 81
31.	21/12/2009	Adam Buckby admits that the delays regarding the grievances are unreasonable	[P944]	Para 86
32.	23/12/2009	The Claimant e-mails Ben Craig, Beverly Bannister and Bethany Allum (Head of HR) to complain about the alleged inappropriateness of Adam Buckby's correspondence with her with regards to her grievances	[P945 - P946]	Para 83
33.	30/12/2009	The Claimant's GP signs her off with 'Stress & Anxiety' [P2370A: this page has been paginated by hand by the respondent] .	See opposite	Para 84
34.	4/1/2010	The Claimant receives letter from VT Group plc Chairman Mike Jeffries regarding VT's new Whistleblowing policy	[P947]	Para 431b
35.	7/1/2010	The Claimant receives letter from Bethany Allum confirming receipt of her grievances. Claimant is advised that Anthony Marshall has been appointed to hear the grievance instead of Beverly Bannister	[P956 & P957]	Para 85

36.	12/1/2010	The Claimant receives e-mail from Sue Ely confirming receipt of her medical consent form, detailing grievance arrangements and advising her that the company was having difficulty contacting her union	[P964]	Para 87
37.	14/1/2010	The Claimant visits her GP to report the deterioration of her health. Claimant is prescribed propranolol, (please allow Claimant to submit her full medical records)		Para 88
38.	14/1/2010	Valerie Eaton's (Counsellor) wrote to Claimant's employer about her GP referral to receive counseling	[P2373]	Para 89
39.	21/1/2010	The Claimant returns to work and has a 'return to work' interview with Ethel Punter	[P974 - P976]	Paras 90 – 93 & 97 - 98
40.	26/1/2010	The Claimant receives e-mail from Paul Kelly's regarding arrangements for her grievance hearings and inviting her and her union to contact him or Sue Ely with any concerns	[P261 & P250]	
41.	1/2/2010	The Claimant attends her first counseling session (first of eight)	[P2376]	Para 99
42.	3/2/2010	Claimant attends her grievance hearing at the Blue Fin Building in Southwark, with Anthony Marshall and Sue Ely. All three grievances are heard on the same day	[P1081 - P1086]	Paras 100 - 106
43.	4/2/2010	The Claimant attends her appointment with 'Medigold' - VT's occupational health consultants. She is informed that they had received the OH referral on 21 January 2010	[P2379 & P2380]	Paras 107 - 108
44.	5/2/2010	The Claimant attends PDR with Benjamin Craig	[P1123 & P1129]	Para 109

45.	10/2/2010	Sue Ely e-mails Claimant and Tony Smith regarding delay over grievance outcome.	[P1094]	
46.	Between 10/2/2010 & 12/2/2010	The Claimant and management exchange e-mails regarding the location of office based risk assessments. Management signpost claimant to the online generic risk assessment. Claimant responds to management expresses concerns about the fact that there are no current hardcopies of risk assessments in the office	[P1093, P1095, P1096 - P1100 & P1106, P1106A, P1107]	Paras 111 – 113 & 115
47.	12/2/2010	At 01.43 am on claimant requests that an individual risk assessment is put in place for her. At 12.22pm claimant sends an email to all the managers, Beverly Bannister, Benjamin Craig, Ethel Punter and Theresa Peters, regarding stress in the workplace and risk assessments	[P1099]	Paras 114 - 116
48.	15/2/2010	Claimant receives a copy of her PDR from Benjamin Craig for her to complete her section. Claimant sends notes for individual risk assessment meeting to Margaret Jones , Martin Lindley and Tony Smith (copying in Beverly Bannister). The Claimant attends individual risk assessment meeting with Margaret Jones, Martin Lindley and Tony Smith	[P1113, P1115 - P1118 & P1130]	Paras 118 – 120
49.	16/2/2010	Claimant sends a completed copy of her PDR from Benjamin Craig At 12.22pm claimant e-mails Sue Ely (copying in Anthony Marshall), requesting to know when she will receive a response to her grievances. Claimant does not receive a reply.	[P1122, P1125] [P1131]	Paras 122 – 123 Para 121

		Beverly Bannister sends an e-mail to Lewisham Connexions staff attaching an office based risk assessment dated January 2010 and notes regarding H&S for discussion at the next team meeting		
50.	17/2/2010	The Claimant e-mails Anthony Marshall at 05.58am, advising that she would like a response to her grievances and <u>advising him of the impact of the delay on her medical condition</u> . At 5.30pm claimant receives a response from Anthony Marshall informing her that they had not yet completed their investigation. Claimant responds to Anthony Marshall's and e-mails Tony Smith regarding delays with the grievance outcome	[P1154] [1155 – 1156 & 1157 - 1159]	Paras 124 – 125
51.	18/2/2010	The Claimant e-mails Tony Smith regarding the grievance investigation delays, <u>advising of the impact on her health and requesting that he intervene</u>	[P1158 – P1159]	
52.	19/2/2010	At 12.39pm (whilst on annual leave), claimant receives the outcome of her grievances in an email from Sue Ely. It was seven days late and they are not upheld . <u>She is advised that she can appeal the decision by email or letter to Paul Kelly and that she will need to provide all related evidence in advance [P1168- bottom of the page]</u> . Tony Smith e-mails the Claimant a copy of his follow up letter to Beverly Bannister regarding claimant's individual risk assessment meeting on 15 February 2010. <u>At 17.356 pm claimant e-mails her appeal to Paul Kelly</u> Claimant e-mails Paul Kelly at 18.28 pm to advise him that she will be forwarding all related evidence by the following day.	[P1174] [P1175] [P1177 - 1183] [P1184]	Paras 126 – 133 Para 134 Para 135 Para 135

		At 21.11 pm <u>Paul Kelly e-mails Claimant to thank her for sending all her information and advises her that she will need to put her appeal in writing to him 'in the form of a letter and send to him' before he will be able to arrange an appeal hearing</u>	[P1232]	Para 137
53.	20/2/2010	<u>On a Saturday the Claimant e-mails Paul Kelly advising him that she had put her appeal in a letter and posted this to him</u> <u>Paul Kelly then e-mails Claimant requesting that she stop sending him e-mails</u>	[P1253] [P1255]	Para 139 Para 140
54.	22/2/2010	At 8.30am the Claimant accesses her work email and sees Paul Kelly's e-mail that he had sent her on Saturday. The Claimant contacts Tony Smith and Mick Simpkin (GMB) by e-mail alleging that Paul Kelly's e-mail is 'disturbing and intimidating' and not in line with normal procedure. She requests that Paul Kelly is replaced. Claimant forwards the email on to Bethany Allum at 9.09 am and then to Jo Robbins (Head of HR) at 9.21 am. She does not receive a response from anyone	[P1256 - P1260]	Paras 140 – 141 Para 142
55.	23/2/2010	Marcus Watson sends out a group e-mail to all staff advising of the appointment of Sahsa Chaudhri as Senior HR Business partner. Carroll Garraway e-mails Lewisham Connexions staff attaching staff questions to management regarding H&S issues. At 17.57am Claimant receives an email from Sasha Chaudri , (Senior HR Partner), advising her to continue to	[P1262] [P1263 - P1267] [P1268]	Para 144 Para 145

		liaise with Paul Kelly Claimant contacts Tony Smith at 19.11 PM, (copying in Sasha Chaudri), advising him of the impact of her employer's treatment of her (reminding him that she is on prescription medication and does not have a history of mental health problems), and requesting that he take appropriate action	[P1269 - 1270]	Para 146
56.	24/2/2010	At 2.59 am claimant sends an e-mail to Sasha Chaudri, (copying in GMB representatives), advising that she is taking out a grievance against Paul Kelly and Anthony Marshall for victimization The Claimant is asked to complete an expenses claim form for credit monitoring fees reimbursement, which she sends to Beverly Bannister	[P1271 - 1272] [P1278 - 1280]	Para 147 Para 149
57.	25/2/2010	The Claimant e-mails Beverly Bannister and all Lewisham Connexions staff (copying in Amanda Duckett, Anthony Marshall, Margaret Jones and Martin Lindley) regarding feedback on the office based risk assessments. Margaret Jones, Beverley Bannister and the Claimant also exchange e-mail correspondence regarding her individual risk assessment. Claimant advised Margaret Jones's that she has not received any risk assessment training	[P1290 - 1291] [P1292 - P1294, P1296 - P1297 & P1308]	Para 151 Para 152
58.	26/2/2010	Beverly Bannister e-mails claimant regarding the draft of Claimant's individual risk assessment that she has prepared and the Claimant responds to Beverly Bannister's e-mail giving feedback. HR approves the individual risk assessment	[P1315] [P1329]	Para 152

		At 13.45pm Claimant e-mails Benjamin Craig and Beverley Bannister with a request to work reduced hours due to the deterioration in her health. Benjamin Craig responds to the email at 15.53 pm to inform claimant that he and Beverley Bannister would authorize this	[P1338 & P1340]	Para 153
59.	1/3/2010	Beverly Bannister e-mails Lewisham Connexions staff attaching all the risk assessments for the Lewisham office. Beverly Bannister e-mails the Claimant regarding her request for a reduction in working hours Beverly Bannister also e-mails the Claimant regarding her Medigold OH report	[P1347] [P1380] [P1387]	Para 159 Para 160
60.	2/3/2010	The Claimant and Beverley Bannister meet to discuss claimant's occupational health report and reduced hours. The Claimant sends an e-mails regarding the arrangements for reduced hours and requests to know what her new monthly salary will be in order to be able to adequately budget	[P1388]	Para 160
61.	3/3/2010	The Claimant e-mails Beverley Bannister regarding the reduced hours and related financial difficulties At 14.01pm, the Claimant e-mails Andrea Ward about her hearings Andrea Ward e-mails the Claimant back at 14.12 pm informing her that they would all be heard on 11 March 2010 and the Claimant responds to Andrea Ward's e-mail Claimant e-mails Beverley Bannister requesting to take annual leave to reduce her hours. Beverley Bannister e-mails claimant agreeing that she can take annual leave to reduce her hours	[P1392] [P1402] [P1403] [P1406]	Para 162 Para 161 Para 161 Para 162

62.	5/3/2010	The Claimant sends Beverly Bannister an e-mail enquiring about tax in relation to the credit monitoring payment	[P1412]	Para 165
63.	11/3/2010	The Claimant attends the appeal hearing at the Blue Fin Building in Southwark <u>during her annual leave period</u> at 10am with Amanda Duckett and Andrea Ward. <u>The Claimant points out the effects of delays with grievances and asks for the company to provide an outcome on time- see minutes to meeting</u>	[P1503 - P1510]	Para 168
64.	15/3/2010	Claimant attends her counselling session where amongst other things; she discusses her ongoing eating difficulties	[P2377]	Para 171
65.	23/3/2010	At 12.43pm, the Claimant e-mails Beverley Bannister about the impact that the imposed early lunch hour is having on her medical condition. She requests a 'reasonable adjustment'. Beverley Bannister responds at 12.51 pm and advises that this would be made	[P1561 – P1563]	Para 175
66.	24/3/2010	At 9.27am Claimant e-mails Andrea Ward enquiring as to when she will receive the outcome of her appeal and grievances	[P1576]	Para 177
67.	25/3/2010	The Claimant e-mails Tony Smith requesting to know if he has received a response from her employer regarding his letter to them relating to H&S dated 19 February 2010	[P1577]	
68.	26/3/2010	At 15.32pm Andrea Ward e-mails claimant to advise her that she should receive a decision the following week. Claimant responds informing her of the impact that the delay on her health. Between 3pm and 4pm the first Health and safety meeting at the Lewisham Connexions office takes place.	[P1586 - P1587].	Para 178
69.	29/3/2010	At 1.15pm claimant attends her counselling session and her counsellor suggests that she undertakes some	[P2377,	Para 180

		psychotherapy. Claimant agrees to be referred me to the 'Centre for Trauma and Anxiety' at Maudsley Hospital for an assessment	P2381- P2395, P2397- P2404 & P2406 - P2415]	
70.	30/3/2010	Andrea Ward e-mails Claimant the <u>appeal outcome</u> from Amanda Duckett. <u>It is eight days late and it is not upheld</u>	[P1592 – P1603]	Paras 182 – 191 & 194
71.	31/3/2010	Andrea Ward e-mails claimant the <u>grievances outcome</u> from Amanda Duckett. <u>It is nine days late and it is not upheld</u> . Claimant is advised that she should send any appeal to Andrea Ward.	[P1608 - 1616]	Para 191 – 194
72.	1/4/2011	At 9.22 am the Claimant sends her second appeal to Andrea Ward via email and receives an automatic reply, informing her that Andrea Ward is on leave and would be back on 12 April 2010. At 10.07 am The Claimant e-mails Lynne Simpson- Head of HR, to request that someone else be appointed to deal with the appeal in Andrea's absence. Lynne does not respond. Instead, the Claimant receives an email from Sasha Chaudri acknowledging receipt and advising that an appeal hearing would be arranged At 16.54 pm claimant receives an email from Andrea Ward advising her that the appeal would be dealt with when she returned from annual leave	[P1625 - P1633] [P1642 - P1643] [P1634]	Para 195 Para 196 Para 196
73.	6/4/2010	The Claimant and Marcus Watson at exchange e-mail correspondence regarding her RR65 questionnaires and	[P1650]	Para 198

		confirming his receipt of this		
74.	12/4/2010	The Claimant attends counseling session where she discusses her ongoing eating difficulties and loss of confidence and self-esteem. Claimant's counselor informs her that she believed that she is suffering from 'social anxiety'	[P2377 - P2378]	Para 200
75.	13/4/ 2010	The Claimant has a one-to-one with Benjamin Craig at 10am. Claimant advises him that her counselor had referred her to the centre for trauma and anxiety. She requests a 'reasonable adjustment'. He agrees 'in principal', but advises that he would have to run it by Beverley Bannister Claimant e-mails Carroll Garraway regarding a response to Tony Smith's e-mail to her employer regarding H&S issues Tony Smith sends the correspondence by post (a compliment slip with note and a copy of his follow up letter to her employer dated 13 April 2010 and their letter of response regarding his letter dated 24 February 2010)	[P1657] [P1654] [P1655 - 1656]	Para 201 Para 202 Para 202
76.	14/4/2010	The Claimant receives a copy of her employer's response (dated 2 March 2010) to Tony Smith's letter regarding H&S issues Beverly Bannister e-mails staff to advise them that interview rooms and reception have now been fitted with panic alarms following a serious incident at the centre	[P1389 - P1391] [P1660]	Para 202 Para 204
77.	15/4/2010	The Claimant receives an email from Andrea Ward advising her that her appeal hearing would take place on 22	[P1663 -	Para 205

		April 2010. <u>Claimant agrees to attend the appeal hearing whilst on annual leave</u>	P1664 & P1666]	
78.	19/4/2010	The Claimant's lodge's race discrimination and PIDA detriment claim to the Employment Tribunal		Para 206
79.	20/4/2010	The Claimant receives an email from Andrea Ward advising her that the appeal hearing will be postponed until 28 April 2011 . She was informed that this was due to fact that the HR representative that they had appointed to attend the hearing was stranded abroad	[P1674]	Para 208
80.	23/4/2010	Anthony Marshall e-mails all staff regarding operational policies and procedures- advising all staff that the majority of the documents had previously been out of date and there are some documents that are still out of date Claimant receives an email from Andrea Ward advising her that her hearing will have to be postponed until 5 May 2010. Andrea Ward cites the same reason as before for the delay	[P1675] [P1676]	Para 211 Paras 209 - 210
81.	5/5/2010	The Claimant attends the first half of a team building day in the morning She speaks with union rep Jan Lewis at around 9.30am and they arrange to meet at (time) before the appeal hearing. Appeal Hearing is cancelled due to her non-attendance at short notice by the GMB union	[P1690] [P1693]	Para 216 Para 216
82.	6/5/ 2010	The Claimant's appeal hearing is rescheduled for 19 May 2010	[P1693 & 1701]	Para 217
83.	10/5/2010	Katurah Marquis starts work as a receptionist at the Connexions Centre	[P1694]	Para 218

84.	11/5/2010	The Claimant receives the responses to the RR65 questionnaires	[P343 - P350]	Para 220
85.	19/5/2010	The Claimant attends second appeal hearing at the Blue Fin Building in Southwark with Debbie Francis and Sue Ely. <u>The claimant is informed that she will receive a decision within 5 days.</u> That same day claimant also receives employer's ET3	[P1800 – P1804 & P145 - P175]	Para 223
86.	27/5/2010	Sue Ely sends Claimant an e-mail informing her that she will not receive a decision on her appeal within the grievance time limit. <u>Claimant responds to Sue Ely's e-mail highlighting the impact of the continued delays on her health</u> Claimant goes on sick leave at 2.30pm	[P1743 - P1744] [P1749]	Para 228 Paras 229 - 230
87.	28/5/2010	The Claimant attends an emergency appointment at her GP's; she is signed off for two weeks in the first instance with anxiety, depression and panic attacks.' <u>He also makes an urgent referral for further counselling and prescribes 'Temazepam' for claimant's depression (please allow Claimant to submit her full medical records).</u> Claimant e-mails Benjamin Craig and Beverly Bannister to inform them that she has been signed off by GP and expresses extreme distress about the way that the company has been dealing with her mental impairment	[P2396] [P2398] [P1752 - P1753]	Para 231 Para 231 Para 231
88.	1/6/2010	The Claimant attends Cathy Robinson's grievance hearing with her at the Blue Fin Building	[P1789 - P1792].	Para 232

		<u>Claimant receives a call from Cliffe Obaseki, who advises the Claimant that Sue Ely had telephoned him to enquire as to whether or not Claimant would consider leaving her job if the company offered her money (please refer to his- para 7& 8 and the Claimant's witness statement- para 232),</u>		Para 232 - 233 Cliffe Obaseki- Para 7 - 8
89.	2/5/2010	<p>At 10.14 am Debbie Frances sends an e-mail to the Claimant's personal e-mail address</p> <p>At 10.49am, The Claimant e-mails Jane Biddlecombe to complain about the alleged disclosure of her personal e-mail address (copying in ACAS)</p> <p>At 11.57am, the Claimant e-mails Marcus Watson to make a formal complaint about Jane Biddlecombe, Debbie Frances and Sue Ely & informs him of impact on her health</p> <p>Marcus Watson responds at 14.45pm with the outcome of his alleged 'investigation'.</p> <p>At 15.04pm Jane Biddlecombe e-mails the Claimant regarding her complaint about the alleged disclosure of her e-mail address</p>	<p>[P1775]</p> <p>[P1776]</p> <p>[P1777 - 1778].</p> <p>[P1779 - 1780]</p> <p>[P1781]</p>	<p>Para 234 & Tanya Davis- Para 16 Para 236</p> <p>Para 237</p> <p>Paras 237 – 239</p> <p>Para 240</p>
90.	4/6/2010	The Claimant receives the appeal outcome from Debbie Francis by post. <u>It is six days late and it is not upheld</u> [P1782 -185: pages 1783 & 1784 have been paginated by hand by the respondents]	See opposite	Paras 241 – 245 & 256 - 257
91.	10/6/2010	The Claimant e-mails Benjamin Craig to update him on her state of health / treatment and alleges continuing acts of harassment, discrimination and victimization by various members of VT staff whilst she has been on sick leave	[P1822]	Para 265

92.	11/6/2010	At 11.18am Claimant e-mails Benjamin Craig to inform him that she has been signed off by GP for another month with 'reactive' depression, anxiety and panic attacks. At 11.54am Benjamin Craig responds but fails to acknowledge her e-mail of the previous day alleging continuing acts of harassment, discrimination and victimization	[P1823 & P2403]	Para 265
93.	22/6/2010	The Claimant receives a letter from Andrea Ward asking her to complete a medical consent form as soon as possible for a re-refer her to occupational health. The medical consent form is enclosed. <u>Claimant learns that Cathy Robinson has been offered 2 years credit monitoring</u>	[P1827]	Para 266
94.	23/6/2010	The Claimant e-mails Benjamin Craig (copying in Beverly Bannister, Tony Smith and Mick Simpkin) to inform him that she received a letter from Andrea Ward and that she felt harassed. <u>She pleads with him to stop the individuals in question from harassing and victimising her</u> At 11.24 am she forwards the e-mail on to Lynn Simpson and copies Tony Smith and Mick Simpkin. She informs her that she does not think that it is appropriate for Andrea Ward to contact her	[P1828] [P1829].	Para 268 Para 268
95.	28/6/2010	The Claimant receives an e-mail response from Benjamin Craig advising her that he had not seen Andrea Wards letter but that it was not intended to be harassing in any way and it was in accordance with the sickness absence policy [P1830- <i>this page has been paginated by hand by the respondents</i>]. Claimant then responds, expressing her extreme disappointed at his response (copying in Beverly Bannister) and supplying information on her condition . She raises concerns about a danger to her health and safety	See opposite [P1832 - P1833]	Para 269 Para 269 – 270

		<u>Andrea Ward e-mails Benjamin Craig suggesting that the Claimant should not be contacting him.</u> Benjamin Craig fails to inform her that her contact with him is in accordance with the sickness absence policy/procedure.	[P1834].	Para 271 - 273
96.	8/7/2010	Babcock International Group PLC acquired VT Group PLC Claimant e-mails Benjamin Craig and Beverly Bannister to advise them that she has been prescribed further medication for her condition. She also advises that she has been referred for physiotherapy for the impact on her manual dexterity	[P1672 & 1826] [P1846]	Para 274
97.	12/7/2010	The Claimant e-mails Benjamin Craig and Beverly Bannister to inform them that she has been signed off for another month with anxiety, reactive depression and panic attacks	[P1848 & P2405]	Para 275
98.	14/7/2010	The Claimant attends her first physiotherapy appointment. They undertake various investigations and ask her to return for follow up treatment Benjamin Craig sends an e-mail to Claimant regarding arrangements for developing a return to work plan. <u>Claimant is advised that he would be accompanied by another colleague with whom she is 'comfortable with'</u> Claimant e-mails Benjamin Craig (copying in Beverly Bannister and her union), regarding arrangements for developing a back to work plan and citing alleged imminent danger to health due to alleged bullying, harassment and victimisation	[P2420] [P1850] [P1859]	Para 277 Para 277

		<u>Respondents' begin to engage in unreasonable, vexatious conduct in relation to proceedings</u>	[P1851 – P1858 & P617].	
99.	3/8/2010	<p>The Claimant receives employer's ET3. It makes reference to Mick Simpkin, claiming that he had informed the claimant's employer that she wanted to leave her job [P1878- <i>this page has been paginated by hand (in a different hand to the other pages) by the respondents</i>].</p> <p>Claimant e-mails the Regional Secretary of the GMB union Richard Ascough regarding Mick Simpkins comments to her employer. Richard Ascough responds to the claimant's e-mail, refusing to investigate and advising her to take legal action against the GMB union</p> <p><u>From this point on the Respondents' also continued to engage in unreasonable, vexatious conduct in relation to proceedings [P1882 – P1883- para 2.2, & P1885- para 6.4 , P1888, P1924 – 2nd paragraph & P1912 – P1916- pages 1913A & 1916A have been paginated by hand by the respondents]</u></p>	<p>See opposite</p> <p>[P1879 - P1881]</p> <p>see opposite</p>	<p>Paras 284 – 286</p> <p>Para 284</p>
100.	13/8/2010	The Claimant sends a letter to Benjamin Craig updating him on her condition , reporting the conduct of the company's legal representatives and <u>alleging that the company is trying to 'get rid' of her</u>	[P1888]	Para 295
101.	12/10/2010	The Claimant sends a letter to Benjamin Craig updating him on her condition and informing him that she is still receiving regular physiotherapy	[P1925]	Para 299
102.	13/10/2010	The Claimant e-mails Benjamin Craig to inform him that she has been signed off for another month with anxiety	[P1926 &	Para 299

		depression and panic attacks	P2417]	
103.	11/11/2010	The Claimant contacts her employer to advise him that she had been signed off from work for a further two months and provides an overview of her current condition	[P1942 & P2418]	
104.	18/11/2010	The Claimant contacts Benjamin Craig by e-mail to inform him that she anticipates being able to return to work much earlier than expected and attempts to make back to work arrangements	[P1965]	Para 305 Tanya Davis- Para 20
105.	24/11/2010	The Claimant receives a response from Benjamin Craig detailing how her employer intends to manage the return to work process	[P1969]	Para 312
106.	25/11/2010	At 6.20 pm claimant contacts Ben Craig by e-mail, expressing her deep disappointed at his e-mail dated 24 November 2010, asserting her legal rights and citing a potential breach of legislation	[P1973 & P1974]	Para 313
107.	26/11/2010	The Claimant sends a follow up e-mail to Ben Craig to clarify her concerns (making a protected disclosure) and to request that her employer refrains from putting any further undue pressure on her regarding a re-referral to 'Medigold'	[P1975]	Para 314
108.	1/12/2010	At 9.49 am Benjamin Craig contacts Claimant via e-mail to raise the issue of occupational health again and 'instructs' her to attend, warning if she does not comply <u>she will face disciplinary action. Claimant is informed that a GP 'fit note' is not acceptable</u> [P1987 & P1988- these pages have been paginated by hand by the respondents] . At 6.32 pm Claimant e-mails Benjamin Craig to advise that she would be returning to work the following week and reiterates her objection to a re-referral to 'Medigold'	See opposite [P1989]	Para 320 Para 320

109.	6/12/2010	The Claimant visits her GP and is given a referral letter and a 'fit note'	[P2421 & P2422]	Para 327
110.	8/12/2010	The Claimant visits independent OH consultant [P2423 – P2425: pages 2423A & 2423B have been paginated by hand by the respondents]	See opposite	Para 327
111.	9/12/2010	The Claimant attempts to return to work but is informed by Beverly Bannister and Amanda Duckett that the company cannot make any 'reasonable adjustments' and she is 'instructed' to go home [P1996- this page has been paginated by hand by the respondents]. Before leaving the office the Claimant reads e-mail from Benjamin Craig which had been sent on 2 December 2010, Benjamin Craig contacts claimant via e-mail to agree to Claimant obtaining OH report via her GP and also threatens disciplinary action again [P1993 – 1994- these pages have been paginated by hand by the respondents]. The Claimant responds to Amanda Duckett's e-mail at 11.51am to the e-mail highlighting the fact that she was calm in the meeting, asserting her legal rights and citing breaches of legislation [P1998 – P2000- these pages have been paginated by hand by the respondents]. <u>Amanda Duckett responds and makes no suggestion that the Claimant had behaved inappropriately [P2001]</u>	See opposite	Paras 328 – 341 Tanya Davis- Para 23 Bolangle Bolagun- Paras 5 - 7
112.	10/12/2010	There is e-mail correspondence between the Claimant and Amanda Duckett (Benjamin Craig and Beverley Bannister copied in). <u>Claimant asserts her statutory rights, (she should be paid at full rate) and requests a 'reasonable adjustment'</u>	[P2006- P2008, P2012]	Paras 342 - 344
113.	13/12/2010	The Claimant sends Amanda Duckett a 'hard copy' of the independent OH report	[P2424 – P2425]	

114.	15/12/2010	<p>The Claimant contacts Amanda Duckett by e-mail, attaching the independent OH report, making reference to data protection and <u>requesting confirmation from the company that she will be paid at full rate from 9 December 2010, or in the alternative, that the company apply 'disability leave', as a 'reasonable adjustment'</u></p> <p>The Claimant also sends an e-mail to Benjamin Craig (copying in Beverley Bannister), reiterating her request for the 'reasonable adjustment', urging him to implement this as 'retrospective' disability leave and reinstate annual leave</p>	<p>[P2016 – P2017]</p> <p>[P2015]</p>	<p>Para 344</p> <p>Para 345</p>
115.	17/12/2010	<p>There is e-mail correspondence between Claimant and Amanda Duckett. Claimant informed that her request for 'reasonable adjustments' were 'extensive and numerous' and she is asked to confirm whether she still requires the adjustments [P2020- this page has been paginated by hand by the respondents].</p> <p>The Claimant responds asserting her statutory rights and citing breaches of legislation</p>	<p>See opposite</p> <p>[P2021 - 2022]</p>	<p>Para 347 & 349</p> <p>Para 349</p>
116.	21/12/2010	<p>At 11.20AM, The Claimant e-mails Benjamin Craig regarding annual leave and payment of her salary. <u>She reiterates the impact of delays and enquires as to when she will be permitted to return to work.</u></p> <p>At 4.22 & 7.37pm there is e-mail correspondence between Amanda Duckett and Claimant, (Beverly Bannister and Benjamin Craig are also copied in). <u>Claimant is informed that her OH report is not sufficient and she is 'instructed' to consent to a re-referral to 'Medigold' or an independent OH specialist.</u></p> <p>Claimant responds asserting her statutory rights, refuses to consent to another OH assessment, <u>clarifies that the OH report is independent and not her GPs OH.</u> Claimant cites harassment / victimisation</p>	<p>[P2023]</p> <p>[2025 – 2026]</p> <p>[P2027 – P2028]</p>	<p>Para 350</p> <p>Paras 351 – 352</p> <p>Para 352</p>

		<p>She requests that Benjamin Craig deals with the matter personally. (at 8.13pm)</p> <p>At 9.21 <u>Claimant forwards the e-mail to MD Alexander Khan requesting that he intervene and requests that Amanda Duckett does not contact her anymore regarding the issue</u></p>	<p>[P2029]</p> <p>[P2030 – P2031]</p>	<p>Para 352</p> <p>Para 353</p>
117.	22/12/2010	<p>At 11.19 am Benjamin Craig contacts the Claimant via e-mail to inform her that <u>the company would not be granting her disability leave retrospectively and therefore her annual leave would not be re-instated.</u> He recalls the message twice and then re-sends mistakenly thinking that he is copying in Andrea Ward into the e-mail</p>	<p>[P2032 - P2033 & P2034 – P2035]</p>	<p>Para 354</p>
118.	23/12/2010	<p>Benjamin Craig contacts the Claimant via e-mail to inform her that <u>disciplinary action would be taken against her if she refuses to reconsider and agree to another OH assessment commissioned by the company.</u> She is given until after the Christmas period to respond</p>	<p>[P2036 - 2038]</p>	<p>Para 356</p>
119.	24/12/2010	<p>The Claimant e-mails Benjamin Craig (copying in Alexander Khan and Beverly Bannister) and agrees to another OH consultation, <u>she clarifies her request for a 'reasonable adjustment',</u> making it clear that she will not be consenting to the disclosure of her full medical records and explains her reasons for this</p> <p>Beverly Bannister replies informing her that the company will not be able to do anything until the office re-opened after Christmas</p>	<p>[P2045 – P2048]</p> <p>[P2049]</p>	<p>Para 357</p> <p>Para 357</p>
120.	27/12/2010	<p>The Claimant e-mails Beverly Bannister, (copying in Benjamin Craig and Alexander Khan) to clarify the terms under</p>	<p>See opposite</p>	<p>Para 358</p>

		which she would be agreeing to an additional OH consultation. She states that she feels that the requirement is unreasonable and discriminatory [P2052 – P2053: <i>these pages have been paginated by hand by the respondents</i> ’]		
121.	29/12/2010	<p>The Claimant lodges her third claim at the ET</p> <p>The GMB union’s legal representatives provide the Claimant with the response to her DDA questionnaire. It stated that Mick Simpkin <u>did not</u> say that he believed that the Claimant wanted to leave and it also stated that Tony Smith asked her employer to change the venue of the hearing to Lewisham in order so he could attend, but the Claimant’s employer refused to do so [P2054 – P2057- <i>pages 2054, 2054A, 2055, 2056 & 2057 have been paginated by hand by the respondents</i>]</p>	[P234 – P287] see opposite	Para 380
122.	5/1/2011	Beverly Bannister and Claimant exchange correspondence regarding the claimant’s preferred OH company (PHC) and Claimant emphasises the fact that she is not consenting to a medical examination or the disclosure of her full medical records	[2426, 2427 – 2428 & 2429]	Supplementary- Para 2
123.	11/1/2011	In the morning the claimant receives a copy of the OH referral ‘pack’ that had been sent to the OH company. Claimant’s employer includes copies of both her ET1’s and e-mail correspondence in the referral pack. The claimant then telephones the OH company to discuss her concerns about the content of the referral ‘pack’. At 2.16 pm claimant e-mails Beverly Bannister, (copying in Benjamin Craig and Alexander Khan), she requests that her employer identifies an alternative role for her and advises of the financial loss that she is suffering whilst she remains on sick leave	[2431 – 2433]	Supplementary- Paras 4 & 6
124.	12/1/2011	Claimant receives a letter from Amanda Duckett informing her that the company believes that Lewisham staff will	[2441 –	

		<p>be transferred to Lewisham council</p> <p>At 12:05 pm, claimant e-mails Benjamin Craig, (copying in Beverley Bannister and Alexander Khan), attaching a copy of her GP 'fit note' which indicates that she is not suffering from any significant condition(s) that would prevent her from carrying out her role</p> <p>At 12.18 pm Beverley Bannister e-mails claimant advising her about the arrangements for the OH appointment. <u>Disciplinary action and possible dismissal is threatened</u></p>	<p>2442]</p> <p>[2444]</p> <p>[2445, 2446 & 2446a]</p>	<p>Supplementary- Paras 8 - 10</p>
125.	13/1/2011	Claimant attends her OH appointment with Dr Mason and is accompanied by a friend Tanya Davis		<p>Supplementary- Para 13</p>
126.	18/1/2011	<p>Claimant receives a copy of her OH report from the OH company PHC.</p> <p>Claimant e-mails to Beverley Bannister, (copying in Alexander Khan and Benjamin Craig), she requests a copy of the letter that Clive Dobbin sent to the OH company and requests confirmation that she will now be paid at full rate. She also request that an alternative role be identified for her in the interim and for a return to work meeting to take place as soon as possible</p>	<p>[2447 – 2448]</p>	<p>Supplementary- Para 14</p>
127.	21/1/2011	<p>E-mail correspondence between claimant and Beverley Bannister. Claimant is advised to attend a meeting with Benjamin Craig and Michelle Naylor on 25 January 2011 at 11am at the Babcock offices. Claimant's employer states that she must remain on sick leave</p> <p>Claimant responds to Beverly Bannister, (copying in Benjamin Craig, Michelle Naylor and Alexander Khan) advising her that she would prefer the meeting to take place at the Lewisham office and asks for confirmation that a risk</p>	<p>[2456 – 2456a]</p> <p>[2456b]</p>	<p>Supplementary- Paras 15 – 18</p>

		assessment will be carried out on the day		
128.	22/1/2011	Follow up letter from Claimant to Alexander Khan, Sasha Chaudri and Fiona Hawkesley, outlining her concerns further and requesting that the meeting be held at the Lewisham office	[2457 – 2458]	Supplementary- Para 19
129.	24/1/2011	<p>Telephone conversation between claimant and Benjamin Craig regarding the arrangement for the return to work meeting. It is agreed that it is more sensible to have one meeting where everything could be addressed together. Beverly Bannister, Alexander Khan, Michelle Naylor and Fiona Hawkesley are also copied in.</p> <p>Following the telephone conversation, Benjamin Craig e-mails claimant offering her the option to attend just one meeting where everything could be addressed together (as a risk assessment will not be carried out on 25 January 2011).</p> <p>Claimant e-mails Benjamin Craig (copying in Beverly Bannister, Alexander Khan, Michelle Naylor and Fiona Hawkesley) attaching return to work agenda, Previous individual risk assessment, HSE management standard guidelines and HSE H&S for disabled employees</p> <p>Claimant e-mails Benjamin Craig [2465] (copying in Beverly Bannister, Alexander Khan, Michelle Naylor and Fiona Hawkesley) regarding inconsistency with his advice [2459] regarding return to work arrangements / risk assessment meetings and asking direct questions about this.</p> <p>Benjamin Craig responds to claimant's e-mail above</p>	<p>[2460- 2464]</p> <p>see opposite</p> <p>[2466]</p>	Supplementary- Paras 21 – 26

130.	27/1/2011	Claimant accesses e-mails and sees that Michelle Naylor had contacted her the previous day to inform her that a meeting had been arranged for 31 January 2011 at 12.30pm with Babcock's head of health and safety John Bacon	[2467]	Supplementary- Para 27
131.	28/1/2011	<p>Claimant telephones Benjamin Craig in the morning and is advised by him that he is not aware of the meeting that is due to take place on 31 January 2011, but that he is happy to attend. He agrees to confirm this in writing.</p> <p>Michelle Naylor sends claimant an e-mail informing her that Benjamin Craig will not be attending and claimant is advised that she will have to attend two meetings rather than one.</p> <p>Claimant responds, copying in Benjamin Craig, Hugh Haughian, John Bacon, Alexander Khan and Fiona Hawkesley, expressing her disappointment / concerns</p>	<p>[2470 - 2471]</p> <p>[2472]</p>	Supplementary- Paras 27 - 28
132.	31/1/2011	Claimant attends her risk assessment meeting with Cliff Obaseki, Michelle Naylor and John Bacon. Claimant later e-mails the notes to the meeting to Benjamin Craig, Michelle Naylor, John Bacon, Hugh Haughian, Alex Khan and Fiona Hawkesley. The e-mail is not acknowledged	[2476 - 2477]	Supplementary- Para 30
133.	1/1/2011	Claimant's employer fails to send her a copy of her updated individual risk assessment as agreed		
134.	2/2/2011	<p>Claimant e-mails Benjamin Craig, Michelle Naylor and John Bacon, (copying in Hugh Haughian, Alexander Khan and Fiona Hawkesley), requesting that her updated individual risk assessment be e-mailed to her and she asks for confirmation of the second return to work meeting</p> <p>Michelle Naylor responds advising her of the date of the meeting and the updated individual risk assessment is attached</p>	<p>[2483]</p> <p>[2484 & 2478 - 2482]</p>	Supplementary- Para 33

		<p>Claimant responds, (copying in Ben Craig, Hugh Haughian, Alex Khan and Fiona Hawkesley), confirming attendance with a friend and <u>outlining concerns about the continued delays and the effect of this on her</u></p> <p>Claimant sends further e-mails that evening regarding the undertaking of the risk assessment</p>	<p>[2484]</p> <p>[2486 & 2488]</p>	<p>Supplementary- Paras 34 - 35</p>
135.	4/2/2011	<p>Claimant attends return to work meeting with her friend Tanya Davis. The risk levels are assessed by Michelle Naylor and Benjamin Craig and she is advised that she can return to work on Monday 7 February 2011.</p> <p>Claimant sends follow up e-mail to Benjamin Craig, Michelle Naylor and Hugh Haughian clarifying what has been discussed and agreed and asking the company to confirm details about her annual leave entitlement and her pay</p> <p>Michelle Naylor responds to Claimant's e-mail to confirm details about her annual leave entitlement and her pay and attaches Claimant's individual risk assessment</p>	<p>[2493 – 2494]</p> <p>[2495 – 2501]</p>	<p>Supplementary- Paras 38 - 40</p>
136.	7/2/2011	<p>Claimant returns to work and attends first supervision with Benjamin Craig</p>	<p>[2502]</p>	<p>Supplementary- Para 41</p>