



# HARTLEPOOL BOROUGH COUNCIL

## OFFICER DECISION RECORD

Department: Legal Department

Division: Legal Services

Date of Decision 5<sup>th</sup> October 2021

Officer Making Decision: Chief Solicitor

**Subject / Description & Reason for Decision:** **Settlement of a Prospective Employment Tribunal Claim**

An employee was absent from work due to sickness. The employee alleged there had been a breach of his contract of employment and the Council was discriminating against them as they had a disability. The Council was concerned there was a breakdown in the mutual trust and confidence in the employment relationship. An offer was made on a without prejudice basis to bring the employment to an end.

A settlement agreement was reached on a commercial basis taking into consideration the litigation risk and cost which would otherwise have been incurred having to engage a Barrister to prepare for and attend a Tribunal hearings to resist any claim and/or challenge the sums being claimed. It is an exempt decision record as it contains confidential information relating to the financial affairs of the Claimant.

Type of Decision: Non Key

Nature of Delegation Being Exercised: Officer Delegated Authority – CS2 Power to institute, withdraw from, compromise or participate in any legal proceedings (including prospective legal proceedings) involving the Council

Alternative Options Considered & Rejected: To defend any allegations of discrimination, breach of contract or unfair dismissal claim which may have arisen.

Any Declared Register of Interest: No  
If Yes, specify:

OFFICER WITH THE DELEGATION

Signatures for retained copy only

NAME: ...Hayley Martin.....

POSITION: .Chief Solicitor.....