



# HARTLEPOOL BOROUGH COUNCIL

## OFFICER DECISION RECORD

Department:	Legal Department
Division:	Legal Services
Date of Decision	17th November 2021
Officer Making Decision:	Chief Solicitor
Subject / Description & Reason for Decision:	<p><b>Settlement of a Prospective Employment Tribunal Claim</b></p> <p>An employee had been absent from work long term due to sickness. The Council was proposing to progress to an ill health capability hearing which could have resulted in the employee's dismissal. The employee alleged disability discrimination. An offer was made on a without prejudice basis to bring the employment to an end.</p> <p>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.</p>
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 proceed to dismiss the employee without agreeing any settlement and defend any allegations of discrimination.
Any Declared Register of Interest	No If Yes, specify:

OFFICER WITH THE DELEGATION

Signatures for retained copy only

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

POSITION: .Chief Solicitor.....