



PUMP COURT

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HEATHER PLATT

"Heather is incredibly knowledgeable in this area of law; she is insightful and works efficiently with both instructing solicitors and clients. She conducts herself admirably in court and possesses a great command cases and hearings. Her advocacy is skilled, professional and extremely effective."

Legal 500 2024

Call: 2002

For enquiries please call +44 (0)20 7353 0711 or email

Heather Platt has built an impressive reputation in Employment Law, Discrimination Law and related areas.

What her clients say:

"I would like to take the opportunity for thank you for all your all of your hard work. You really have been incredible. You have an innate ability combine sensitivity and kindness with outstanding professionalism and expertise and I am awe of how who conducted our case. What ever the outcome I know that we have had the very best possible representation and I thank you whole heartedly." Client, sexual harassment case, Farnborough.

"I thank you for your patient and professional conduct in dealing with my legal and health problems". Claimant, disability discrimination case, Romford, Essex

"Miss Platt's ability to analyse and grasp detailed information is second-to-none and I believe this is helped by the excellent preparations undertaken in all the matters she is instructed in. Miss Platt is a tenacious advocate". Solicitor, Essex

"Felt that I had to write briefly to thank you so much for your all of your very hard work yesterday. Despite the obvious industry, you were also great company. Clearly, I found the day very difficult. Again, thank you for all you have done and not in a small way for all of the ground work you did when I must have presented as a 'nightmare' client!" Claimant, disability discrimination case (judicial mediation) at London East Employment Tribunal.

"Efficient, professional, understanding, wise". Claimant

Heather says she loves her job: "I do have a passion for employment law. I enjoy going to court, but I also get great satisfaction from the advisory and teaching aspects of my work."

Employment & Discrimination

An expert in disability discrimination, with particular expertise in neurodiverse disability cases including Asperger's / autism spectrum disorder (ASD), ADHD and other 'hidden' disabilities. She has handled numerous cases before the employment tribunals, the Employment Appeal Tribunal and in the High Court; Heather is particularly in-demand for her expertise in matters involving discrimination, whistleblowing, unfair dismissal, stress at work, bullying and harassment. She has acted in numerous high-value cases for and against large organisations and public bodies, including hospitals, universities and schools, local authorities, housing associations, police forces and major airlines. Heather's cases often include personal injury or commercial elements and she is often instructed to appear against KCs. Acting for both claimants and respondents, Heather has successfully obtained injunctive relief in the High Court and has substantial experience in discrimination law. Her professional negligence practice largely relates to the conduct of tribunal proceedings.

Heather has an interest in maternity and sex discrimination cases and has been involved in cases of baby loss and is supportive of the George's Law campaign for leave for bereaved parents of babies under 24 weeks.

Heather represents high net worth individuals and those in a range of professional and regulatory employment including Financial Services, Barristers, Solicitors, Doctors, Military personnel, Politicians, Professors, Teachers and other academics.

Heather has acted in commercial matters relating to employment including advising and representation in the High Court in relation to restrictive covenants, confidential information and wrongful dismissal. Heather has successfully obtained injunctive relief and costs in claims to protect legitimate business interests. Heather has also experience of Judicial Review applications against employment related decisions in the High Court.

Heather regularly advises on the application of TUPE, industrial action, including balloting and strike action and on the application of the Working Time Regulations and Agency Worker Regulations for Universities, Colleges, local authorities, large employers, blue chip companies and a range of SMEs.

Heather was appointed Deputy District Judge of the South Eastern Circuit in September 2021.

Heather is consistently and regularly engaged in appeals, high profile and high value complex cases and has negotiated significant settlement agreements and exit packages. Heather often appears against ranked Silks and juniors. Heather has also developed a team of specialist employment law barristers within Chambers with an excellent reputation.

Heather has taught Employment Law and Discrimination law to students at City, University of London and the University of Surrey, she provides bespoke lectures and training sessions for solicitors and HR professionals as well as to barristers. She is a qualified workplace mediator and has also been an external examiner to the Bar Standards

Board.

Heather has acted in cases involving Equality Act 2010 or the Employment Rights Act 1996 in a wide range of sectors, including:

Aviation, Banking and Hedge Funds, Construction, Education including Higher Education, Energy, Fashion, Financial Services, Food, Health and Social Care, Hospitality, Law, Manufacturing, Medicine, Nursing, Pharmaceuticals, Real Estate, Regulatory, Retail, Teaching, Tech and Communications, Tourism and UK Government.

Heather is the Head of the Pump Court Chambers Employment Team and regularly presents seminars and carries out bespoke training on all aspects of Employment Law. She is the author of a monthly employment law update and a regular contributor to chambers' employment law newsletter.

Interesting Cases:

Captain X v Secretary of State (2023)

Heather represents an Army Doctor in his application for a Judicial Review of a decision made by the Ministry of Defence's Army Personnel Services Group not to award antedated seniority.

Miss J Anderson v CAE Crewing Services Limited (2023)

Heather represents a company providing crewing services to airlines in a long running case brought by Miss Anderson which involves disability discrimination and constructive unfair dismissal. The Claimant's disabilities include bipolar disorder and POTS. The Tribunal has rejected the Claimant's claims twice, however there are ongoing appeals brought by the Claimant against the company, including claims for vicarious liability against the company's choice of aeromedical medical examiners.

https://assets.publishing.service.gov.uk/media/60c856aed3bf7f4bd9814eb0/Ms_J_Anderson_v_CAE_Crewing_Services_Limited_2302155-2019_Reserved_Judgment_and_Reasons.pdf

https://assets.publishing.service.gov.uk/media/62b9b5558fa8f5720c89696c/Miss_J_Anderson_v_CAE_Crewing_Services_Limited_3315314.2020_written_reasons.pdf

Mr M Richards v Brocade Communications UK Ltd [2022] UKET 3305879/2018 (13 January 2022) Heather represented Mark Richards who had terminal kidney cancer and was unfairly dismissed by a large American company. Heather was successful at the liability and remedy hearings. Mr Richards sadly died before the conclusion of his case. His estate continued with his claim and Heather secured compensation of £1.7m which was the highest tribunal discrimination award of 2022. Heather was involved in the claim from the outset and appeared against a KC.

Press

<https://www.thetimes.co.uk/article/widow-of-sacked-cancer-patient-wins-1-7m-payout-blp6mm996>

https://www.theregister.com/2022/02/02/brocade_salesman_unfair_dismissal_tribunal/

Reserved Judgment –

https://assets.publishing.service.gov.uk/media/635b9cdad3bf7f20dcfd01e0/Mr_M_Richards__deceased_-_by_his_personal_representative_Mrs_W_Richards_-_v_-_Brocade_Communications_Ltd__3305879-2018__Reserved_Judgment.pdf

https://assets.publishing.service.gov.uk/media/61effe098fa8f505893f1e2d/Mr_M_Richards_v_Brocade_Communications_UK_Ltd_3305879.2018_FMH_Reserved_Judgment.pdf

A v A Bank (2022)

Heather represented the Claimant who had multiple complex disabilities, largely triggered by her earlier experience of race discrimination at work (same employer). Heather was involved in the claim from the outset, she advised and drafted the pleadings and negotiated a significant exit package for the Claimant.

B v United Kingdom Research Innovation (2002)

Heather represented the Claimant in his sexual orientation discrimination claim against the UKRI – a government body run by Department for Business, Energy and Industrial Strategy (BEIS). Heather advised at an early stage that the Claimant needed to obtain an expert pension report for his significant pension loss and expert psychiatric report to support his personal injury. Heather’s successful presentation of the claim, including those expert reports resulted in the Respondent conceding liability on the day of the hearing and offering no evidence, which is very rare in employment tribunal litigation.

https://assets.publishing.service.gov.uk/media/624ec6dad3bf7f600d4055cf/Mr_M_Brown_-_v_-_UK_Research_and_Innovation_-_3331939-2018_-_Judgment.pdf

Ellis v Bacon (Marriage and Civil Partnership) [2022] EAT 188 (22 November 2022)

Heather successfully represented Mr Ellis, who was the director of a company in his successful appeal to the Employment Appeal Tribunal. This was an unusual case involving marital discrimination.

<https://www.bailii.org/uk/cases/UKCAT/2022/188.html>

<https://www.elaweb.org.uk/law-and-practice/ids-bulletins/eat-overturms-finding-marital-status-discrimination>

<https://www.lexisnexis.co.uk/legal/news/marital-status-discrimination-narrow-test-confirmed-ellis-v-bacon>

KK v A School (2020 ongoing)

Heather represents a private school for SEN pupils in a claim for unfair dismissal and disability discrimination brought by a former teacher who was diagnosed with ASD after her employment had ended. The Claimant has Autistic Spectrum Disorder. The claim has been to the EAT on two occasions and there is various satellite litigation which Heather is instructed on. The current EAT case centres around the Tribunal's decision not to postpone the hearing on medical grounds when the Claimant alleges it should have.

H v UCL (2022)

Heather represented a blind HR professional in his claim brought against UCL.

Aylott v BPP (2020)

A former university lecturer represented by **Heather Platt** has been awarded £182,000 by the Central London Employment Tribunal against BPP. Heather was instructed by **Mohamed Bangura of Neal Turke Rochfort solicitors**. They have worked together on numerous cases over 20 years.

The award was made to Elizabeth Aylott, a former lecturer at BPP law school. Ms Aylott, who was forced to resign in 2019 after 10 years with the University, was diagnosed as an adult with ASD (autistic spectrum disorder) and she also was disabled because of her mental health conditions of anxiety and depression. She was surprised to be presented by BPP's HR representative with a settlement agreement at a return to work meeting.

At the liability hearing, Judge Adkin and his panel members had ruled that Ms Aylott was constructively unfairly dismissed and treated unfavourably because of her disability. The tribunal found that a series of matters, viewed cumulatively, amounted to a fundamental breach of trust and confidence.

Simpson v Air Business Ltd [2019] UKEAT 0009_19_0904 (9 April 2019)

(Victimisation Discrimination – Protected disclosure)

Patel v The Governing Body of Lister Community School [2018] UKEAT 0289_16_0103 (1 March 2018)

Beckford v London Borough of Southwark [2015] UKEAT/0210/14/JOJ

Monfared v Spire Health Care Ltd (Practice and Procedure : no sub-topic) [2014] UKEAT 1598_13_1106 (11 June 2014)

Merlin Financial Consultants Ltd v Cooper [2014] EWHC 1196 (QB) (16 April 2014)

Okee v Nursing and Midwifery Council – [2014] All ER (D) 07 (Mar)

Tavistock And Summerhill School & Anor v Richards & Ors (Redundancy : Definition) [2013] UKEAT 0244_13_0412

Warner v Armfield Retail & Leisure Ltd (Contract of Employment : Frustration) [2013] All ER (D) 260 (Oct) [2013] UKEAT 0376_12_0810 (8 October 2013)

Masson v Meggit Avionics Limited (2013) UKEATPA/0307/12/KN

Oni v NHS Leicester City (formerly Leicester City Primary Care Trust) (Practice & Procedure : Costs) [2012] UKEAT 0144_12_1209 (12 September 2012)

Oni v NHS Leicester City (2011) UKEATPA/1138/11/LA

Costs and list of issues.

Okoro & Okenwa v Taylor Woodrow Construction & Ors (2011) UKEAT/0319/10/ZT

Continuous discrimination and jurisdiction

Winchester & Eastleigh Healthcare NHS Trust v Walker UKEATPA/1794/10/LA

Basic award, continuous service in the NHS

McKinnon v Greater Manchester Police (2011) ET

15 day race discrimination case brought by volunteer.

Hose Express Thurrock Ltd v Jacomb (2009) UKEAT 0389_08_3103 (unreported)

Disability related discrimination (possible reference to the ECJ) following London Borough of Lewisham v Malcolm [2008] 1 AC 1399.

Henry v. London Borough of Southwark & Anor [2008] UKEAT 0520_07_2602 (26 February 2008)

Business & Commercial

Heather regularly advises businesses, partnerships and companies on a range of matters including debt recovery, disputes about fees, breach of partnership agreements and insolvency. Heather is in demand for advice as to restrictive covenants and their enforceability, she drafts contracts and also acts and advises in relation to injunction proceedings in the High Court.

Heather's cases often involve allegations of fraud. She also advises company directors as to their employment law rights and obligations and carries out training and in house seminars for line managers. Before coming to the Bar, Heather worked for a Top 5 Law Firm in Sydney, Australia.

Selected Cases

Mojela v Canmart & Akanda (2023)

Heather acted for a medicinal cannabis cultivator in a claim brought against it by an employee based in South Africa, working for a Canadian and UK company with a UK contract of employment. The Claimant claimed wrongful termination of contract in the High Court.

Churches Fire Security Limited v Coates & Click Fire and Security Limited (2023)

Heather represented the Claimant company seeking an injunction in the High Court to protect its legitimate business interests from a former employee and competitor company and to prevent a breach of restrictive covenants and post termination of employment restrictions.

Z v Company (2023)

Heather is advising a Claimant about a possible claim for misrepresentation, negligent misstatement and breach of contract in relation to a TUPE transfer and a the sale of company shares.

Defending a claim brought against an accountant in the High Court for solicitation and breach of restrictive covenants, involves mistake and fraudulent misrepresentation

Advising as to the enforceability of contractual terms in respect of trainee surveyors

Advising as to the enforceability of restrictive covenants in respect of a popular weight loss franchise programme

Drafting pleadings for TV personalities upon the termination of their contracts with a popular reality television series

Advising as to the terms and enforceability of a partnership agreement

Advising and drafting undertakings for a pest elimination company as to potential breach of restrictive covenants

and to prevent loss of trade by former employee

Personal Injury

In addition to her work within Employment Law, Heather has advised and represented claimants and defendants in a wide variety of personal injury litigation including employer's liability; tripping and slipping; road traffic accidents with complex credit hire, fraud and phantom passengers; occupier's and manufacturer's liability; injuries arising from the disrepair of property and claims under the Package Tour Regulations.

Heather has a particular interest in psychiatric and neurological damage and has cross-examined medical experts in numerous cases. She advises and acts for both claimants and insurers, on both a private basis and under conditional fee agreements. Before she came to the Bar, Heather worked in a specialist Personal Injury and Industrial Disease law firm and was involved in multi-party actions with complicated limitation issues.

Professional Negligence

Heather's professional negligence practice largely relates to the conduct of tribunal proceedings.

Education

Heather has experience of acting in cases for and against schools, colleges, universities and examination bodies and has acted for teachers in the [National College for Teaching and Leadership \(NCTL\)](#).

Heather accepts instructions for cases in the SEND Tribunals and understands Special Educational Needs and education law and ECHP plans and the statutory framework that local authorities operate within.

She acted for the Claimant in a claim of disability discrimination brought against the [Institute and Faculty of Actuaries](#). She has experience of advising schools and further educational institutions as to how to avoid discrimination as well as on their internal policies and HR procedures. Heather has also advised faith schools and dealt with redundancy situations in the education sector. Heather is a visiting lecturer at City University in London and teaches final year LLB students. Heather is also an external examiner for the Bar Standards Board.

Data Protection

Heather has expertise in the Data Protection Act 1998 and the General Data Protection Regulations (GDPR). Heather advises businesses and individuals as to their rights and obligations. Heather also carries out training for employment lawyers as to the provisions of the GDPR and the implications for employment law.

Regulatory & Disciplinary

Heather has expertise in regulatory matters, in particular the regulation of professionals such as Doctors, nurses, social workers, teachers, police officers, accountants and within the provision of financial services.

Heather has appeared in appeals against decisions taken by professional bodies in the High Court, for example in [Okee v Nursing and Midwifery Council – \[2014\] All ER \(D\) 07 \(Mar\)](#).

Heather acted for a teacher and successfully avoided a prohibition order in the Professional Conduct Panel of the [National College for Teaching and Leadership \(NCTL\)](#) in a case which involved the teacher having admitted tampering with SAT papers. Heather acted for a Social Worker who was accused of inappropriate touching and successfully had those allegations dismissed against him. Heather's employment and civil law background make her uniquely placed to advise on the interplay between the regulatory sphere and individual employment law rights. Most recently Heather advised a teacher who was facing a regulatory panel after she expressed her personal religious views to students which were perceived to be homophobic and anti-transgender.

Alternative Dispute Resolution

Heather has recently trained with the ADR Group and is an expert Workplace Mediator.

Heather's practice in employment and discrimination law matters has given her a keen understanding of how important good industrial relations are. Workplace mediation is an informal, structured process in which an independent third party, a mediator, helps people in a disagreement or dispute to create a way forward. Mediation introduces a powerful new dynamic to any negotiation or dispute discussion. It enables people to restore and develop healthy working relationships. Workplace mediation is future-focussed – it is concerned with how things will be from now on rather than finding blame for how things have been in the past. It is optional – any party can withdraw from the process at any time.

Heather also carries out Employment Mediations and Commercial Mediations to settle litigation and has experience

in Judicial Mediations.

Qualifications

- LLB (Hons) English & German Laws, University of Liverpool

Professional associations

- Employment Law Bar Association
- Employment Lawyers' Association
- Industrial Law Society
- Personal Injury Bar Association
- Public Access Bar Association
- Society of Legal Scholars

Professional activities

- Advisory and mediation work
- Bespoke employer training for SMEs including tribunal simulations
- Tactical advice to employers during disciplinary and grievance procedures
- Webinars and live seminars for CLT, Cullen Schofield and DataLaw
- Lectures in employment and discrimination law at City University, London
- Chambers' seminar programme, bespoke in-house training and Webinars
- GDPR Compliance for Employers

Outside Interests

Heather is a keen traveller; she particularly enjoys high altitude mountaineering (her last mountain was Mera Peak) – or at least she did before becoming a parent! Heather loves scuba-diving, surfing and skiing.

Publications

- CLT Webinar Employment Status (August 2012)
- Handle with Kid Gloves (2011) NLJ 762
- Out for the Count! (2010) NLJ 1209
- Employment: Stress alert! (2009) 159 NLJ 1494
- Access all areas (2006) 156 NLJ 1668
- On shaky ground (2006) 156 NLJ 91