



PUMP COURT  
CHAMBERS

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# HEATHER PLATT

"A robust advocate with a calming presence."

Legal 500 2019

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.

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

Heather represents a wide cross-section of businesses, from multinational corporations to SMEs, as well as public bodies and individuals. 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 disability, sex and race discrimination, sexual orientation, unfair dismissal, redundancy, stress at work, bullying and harassment, whistleblowing and TUPE. Acting for both claimants and respondents, Heather has successfully obtained injunctive relief in the High Court and has substantial experience in discrimination law. She has acted in several high-value cases for and against large organisations and public bodies, including Primary Care Trusts, schools and colleges, local authorities, housing associations, police forces and major airlines. Her professional negligence practice largely relates to the conduct of tribunal proceedings.

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. Heather does *pro bono* work at the Employment Appeal Tribunal for ELAAS.

### Selected Cases

[Beckford v London Borough of Southwark \[2015\] UKEAT/0210/14/JOJ](#)

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

[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.

## 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

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. She has particular expertise of cases involving the Manual Handling Operations Regulations 1992 and the various regulations involving protective work equipment.

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.

## Selected Cases

### [Hamilton v Tesco Stores Limited \(2007\) ET](#)

Damages of £320,000 for Disability Discrimination; overlapping claims in the County Court for Personal Injury and Professional Negligence = Employment + Personal Injury Acting in a claim involving alleged phantom passengers in a road traffic accident and claim for personal injuries

## 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 \(NCTL\)](#). She recently 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) which has direct effect from 28 May 2018. 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 recently 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.

## Selected Cases

[Okee v Nursing and Midwifery Council - \[2 - \[2014\] All ER \(D\) 07 \(Mar\)014\] All ER \(D\) 07 \(Mar\)](#)

## 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