



# Grace Holden

**Year of Call:** 2016

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## Employment and discrimination

Grace Holden acts for both claimants and respondents in preliminary and final hearings in the Employment Tribunal as well as drafting and advising on the full range of employment disputes and issues.

Her recent employment and discrimination work includes:

- Successfully representing a Respondent in a multi-day unfair dismissal and discrimination case, involving arguments of redundancy, TUPE and sex and disability discrimination.
- Advising on the merits of claims for unfair dismissal, wrongful dismissal, redundancy, notice and holiday pay and all forms of discrimination.
- Representing parties in preliminary hearings, including making applications for strike out and deposit orders.

Grace also has experience of contractual claims in the County Court and has recently drafted pleadings in a complex breach of contract case.

## Investigations

Grace Holden has experience in employment investigations covering a wide range of issues, including sex discrimination, race discrimination and harassment. She has recently been involved in investigations for a law firm and a public-sector department.

Grace Holden is also counsel on the Government Legal Department's junior junior scheme and is currently instructed by them to undertake work in relation to the Windrush Compensation Scheme.

## Articles

Grace Boorer analyses *Agbeze v Barnet Enfield and Haringey Mental Health NHS Trust EA-2020-000413-VP*, in which the EAT found that where a worker's contract requires something more than being ready, willing and able to work in order to receive wages, a term is not implied that the worker is entitled to be paid on suspension in absence of a contractual provision on the point.

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*University Hospital of North Tees & Hartlepool NHS Foundation Trust v Ms L Fairhall [2021] 6 WLUK 454*

[Grace Boorer](#) reviews *University Hospital of North Tees & Hartlepool NHS Foundation Trust v Ms L Fairhall [2021] 6 WLUK 454*, a case providing a timely reminder to practitioners that in most cases it is not necessary to complicate whistleblowing

determinations, notwithstanding the decision in Jhuti.

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Grace Boorer reviews All Answers Ltd v Mr W and Ms R [2021] EWCA Civ 606, a discrimination case in which the Court of Appeal reasserts the importance of considering all the elements of the disability status test under s6 and schedule 1 of the Equality Act 2010, and that it is crucial to consider the question of whether an impairment had lasted or was likely to last at least 12 months at the date of the discriminatory acts.

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Court of Appeal confirms the causative approach to the 'material factor test' in equal pay claims  
Grace Boorer looks at Walker v Co-Operative Group Ltd & Anor and identifies some important practical considerations to avoid falling into error when considering material factor defences.

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## **Academic qualifications**

- Bar Professional Training Course, City Law School, Outstanding, 2015–2016
- LLB Hons, University of Bristol

## **Scholarships**

- Major scholarship and Duke of Edinburgh Entrance Award, Inner Temple, 2015

## **Professional qualifications & appointments**

- BPTC

## **Professional bodies**

- Employment Lawyers Association
- Industrial Law Society
- Personal Injuries Bar Association