



Simon Gorton QC



Call: 1988
Silk: 2011
Clerk: William Meade
Email clerk: wmeade@oldsquare.co.uk
Tel: 020 7269 0300
Email: clerks@oldsquare.co.uk

Profile

Simon Gorton QC is a barrister specialising in all aspects of employment law. Simon's expertise is in Employment Tribunals, the High Court and at all appellate levels.

Simon regularly appears for and advises clients as diverse as Banks, Police Forces, PLC's, Trade Unions, Hospital Trusts, Universities, individual claimants and direct access clients.

He has appeared in numerous reported cases that are wide ranging including equal pay and victimisation (**Derbyshire v St Helens MBC, Fox Cross Claimants v Glasgow City Council**), the lead authority in respect of contractual rights conferred by custom and practice (**Shumba v Park Cakes Ltd**), TUPE (**Wilson v St Helens MBC, Housing Maintenance Solutions v McAteer, Arch Initiatives v Greater Manchester West Mental Health NHS Foundation Trust**), whistleblowing (**Noon Jhutti v Royal Mail Group**), worker status (**Hospital Medical Group Ltd v Woodward**) the legality of strike ballots (**Metrobus v Unite the Union**), working time issues (**South Manchester Abbeyfield Society v Hopkins**) and unfair dismissal and wrongful dismissal (**Nugent Care Society v Boardman** and **Nunn v Royal Mail Group**).

He is recommended as a leader in employment law both in 'Chambers & Partners' and the 'Legal 500'. Endorsements attributed to Simon include that he has 'the right touch with clients' and is a 'very practical and shrewd operator' who earns top marks for his expertise on equal pay and TUPE litigation; 'incisive, determined'. Simon lectures regularly on a variety of employment law issues.

Recent and current work

- Simon is heavily involved in English Scottish Equal Pay litigation both at an ET and an appellate level including the Highland Council litigation. Appeared successfully against Edinburgh City Council in lead case on the meaning of establishment under the Equal Pay Act;
- Has been advising Trade Unions and employers on all aspects of equal pay litigation;
- Currently representing UNITE in industrial action litigation in connection with strike action on London buses in the summer of 2008. One matter progressing to the Court of Appeal;
- Advising North West of England Councils on TUPE and other related employment aspects in connection with local government reorganisation;
- Heavy advisory based practice in restrictive covenants and restraint of trade work. Appeared several times in the High Court in respect of Springboard applications; Applications to enforce express restrictions; Full trials in respect of enforcing restrictive covenants.