



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr P Wood

v

**(1) Lloyds Bank PLC
(2) Ms R Ross**

Heard at London Central

On: 5-7, 10, 11 December 2018

**Before: Employment Judge Gordon
Ms T Breslin
Ms L Jones**

Appearances

For the Claimant: Mr R Owen-Thomas (counsel)
For the Respondent: Ms R Thomas (counsel)

JUDGMENT ON LIABILITY

The unanimous decision of the tribunal is that:-

1. The Claimant was dismissed for redundancy by the First Respondent but the dismissal was unfair.
2. If and in so far as any of the complaints listed in paragraph 4 of the list of issues were made to the tribunal later than the 3 months allowed by section 123 of the Equality Act 2010, it is just and equitable for such other period of time to apply to those complaints so that they can be heard and determined.
3. The Claimant was discriminated against because of a protected characteristic namely disability under section 13 of the Equality Act 2010 by the Second Respondent completing an internal job application for him in his name, without consultation with him, and poorly, with the result that he was disqualified from suitable alternative roles in the First Respondent's restructuring process.
4. The acts described in paragraph 3 were also done by the First Respondent because they were done during the course of the Second Respondent's employment under section 109(1) of the Act. Accordingly they were contraventions of the Act by the First Respondent under section 39. They were also contraventions of the Act by the Second Respondent under section 110(1).
5. The Claimant suffered harassment under section 26 of the Equality Act 2010 by the lack of consultation with him between 22 April 2017 and 20 June 2017 about

the restructuring process and how this process affected him. This was a contravention by the First Respondent under section 40 of the Equality Act 2010.

6. The claim that there was a failure to make reasonable adjustments under section 21 of the Equality Act 2010 is dismissed, and the other complaints in paragraph 4 of the list of issues are dismissed.
7. There shall be a hearing to determine the question of remedy (and causation) starting at **10am on Friday 5 July 2019** and continuing on **Monday 8 July 2019** (two days) at **Victory House, 30-34 Kingsway, London WC2B 6EX**.

Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.

Employment Judge Gordon

Date: 11 December 18

JUDGMENT SENT to the PARTIES ON

13 December 2018

FOR THE TRIBUNAL OFFICE