



EMPLOYMENT TRIBUNALS

Claimant: Mr P.R. Hughes

Respondent: Halton Borough Council

HELD AT: Liverpool

ON: 24th October 2019

BEFORE: Employment Judge T. Vincent Ryan

REPRESENTATION:

Claimant: Litigant in person

Respondent: Ms Fernandez-Mahoney, Solicitor

PRELIMINARY HEARING JUDGMENT

The judgment of the Tribunal is:

1. The claimant is a disabled person as defined by s.6 Equality Act 2010 by virtue only of anxiety and depression.
2. The respondent did not know, and could not reasonably have known, that the claimant was a disabled person until it received an Occupational Health Report dated 14th June 2018 from Colette Hornsby, Occupational Health Specialist Practitioner.
3. The respondent's application for the claimant's claims (that he was unfairly dismissed and discriminated against in connection with the protected characteristic of disability) to be struck out as having no reasonable prospect of success is dismissed upon withdrawal.
4. The claimant's claims that he was unfairly dismissed and discriminated against in connection with the protected characteristic of disability have some reasonable prospect of succeeding; it cannot be said, without the tribunal hearing evidence and finding facts, that they have little reasonable prospect

such that a deposit order ought to be made. The respondent's application for a Deposit Order or Orders is dismissed.

Employment Judge T.V. Ryan

Date: 24.10.19

JUDGMENT SENT TO THE PARTIES ON
15 November 2019

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.