



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Campbell

**Respondent:** Openreach Limited

**Heard at:** Liverpool

On: 17 September 2020

**Before:** Employment Judge Horne

## **Representatives**

For the claimant: Mr P Berry, CWU representative

For the respondent: Ms A Greenley, counsel

In this judgment:

1. the heading is marked “Code V”, which means that the hearing took place on a remote video platform, to which neither party objected;
2. paragraph 1 was ordered by consent;
3. paragraph 2 was ordered after reading a 72-page bundle, the respondent’s skeleton argument, and hearing oral representations from the parties;
4. “the list of issues” means the list of issues appended to the case management order sent to the parties on 28 April 2020;
5. “Allegation 6” means the complaint of discrimination arising from disability, based on the unfavourable treatment alleged at paragraph 4(6) of the list of issues; and
6. other numbered allegations should be interpreted accordingly.

## **JUDGMENT AT A PRELIMINARY HEARING**

1. Allegations 1 to 5 are struck out on the ground that they are not actively pursued.  
(This judgment does not prevent the claimant from relying on the factual basis of Allegations 1 to 5 in support of his remaining complaints of discrimination.)
2. The tribunal has jurisdiction to consider Allegation 6. The claim in respect of Allegation 6 was presented after the expiry of the statutory time limit, but it was presented within such other period as the tribunal considered just and equitable.

3. The tribunal has jurisdiction to consider the complaint of failure to make adjustments. That complaint was presented after the expiry of the statutory time limit, but it was presented within such other period as the tribunal considered just and equitable.

---

Employment Judge Horne

17 September 2020

SENT TO THE PARTIES ON  
27 November 2020

FOR THE TRIBUNAL OFFICE

Note – reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the judgment being sent to the parties. If written reasons are provided, they will be entered onto the tribunal’s online register, which is visible to internet searches.