



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr N Swords

**Respondent:** Lingfield College

**Heard by Cloud video** On: 1-4 March 2021

**Before:** Employment Judge Reed  
Mrs S Dengate  
Mr K Murphy

## **Representation**

**Claimant:** In person

**Respondent:** Mr A Ross, counsel

# JUDGMENT

The unanimous judgment of the tribunal is that:

- 1 The respondent did not breach the working time regulations by failing to provide the claimant with a rest period of not less than 11 consecutive hours each 24 hour period of his employment
- 2 The respondent did not directly discriminate against the claimant on the ground of his disability
- 3 The respondent did not treat the claimant unfavourably because of something arising as a consequence of his disability
- 4 The respondent did not harass or victimise the claimant
- 5 The refusal of the respondent to allow the claimant to be accompanied by his wife to a grievance hearing on 7 June 2019 was a failure to make a “reasonable adjustment” to avoid the disadvantage caused by its internal procedures
- 6 The respondent did not otherwise fail to make reasonable adjustments
- 7 The claimant was not dismissed so his claim of unfair dismissal fails

- 8 The claimant is awarded £2,500 together with interest thereon of £348.49 to represent injury to feelings in relation to item 5, above
- 9 There is no order as to costs.

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Employment Judge  
Date: 4 March 2021

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 or a written request is presented by either party within 14 days of the sending of this written record of the decision.