



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms J Collett

**Respondent:** Edge View Care Homes Limited

**Heard at:** Midlands West

**On:** 11, 12, 13, 14 and 15 October 2021

**Before:** Employment Judge Faulkner  
Mr J Virdee  
Mr P Tsouvallaris

**Representation:** **Claimant** - in person  
**Respondent** - Mr A Weiss (Counsel)

## JUDGMENT

1. The Respondent did not contravene section 39 of the Equality Act 2010 by failing to comply with the duty to make reasonable adjustments in relation to the requirement that on 10 October 2018 the Claimant work with a client who wanted to go shopping. The Claimant's complaint of failure to make reasonable adjustments is therefore dismissed.

2. The Respondent did not contravene section 39 of the Equality Act 2010 by treating the Claimant unfavourably because of something arising in consequence of her disability, in allocating her on 13 October 2018 to another client who it was known would wish to go shopping. The Claimant's complaint in this respect is therefore dismissed.

3. The Respondent did not contravene section 40 of the Equality Act 2010 by harassing the Claimant:

3.1. by making the comment on 4 October 2018, "We can't have you hobbling about, Julie";

3.2. by asking her on 13 October 2018, "Can't you go out into the community?";

3.3. on 13 October 2018 by allocating her to a client who it was known would wish to go shopping; or

3.4. by stating to her on 13 October 2018, “Why can’t you go out [into the community with clients], it was okay for [a former employee] to be sent out with bad knees?”.

4. All of the Claimant’s complaints are dismissed accordingly.

Employment Judge Faulkner  
15 October 2021

Notes

1. 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.

2. All judgments and written reasons for the judgments (if provided) are published, in full, online at [www.gov.uk/employment-Tribunal-decisions](http://www.gov.uk/employment-Tribunal-decisions) shortly after a copy has been sent to the parties in a case.