



EMPLOYMENT TRIBUNALS

Claimants: (1) Mr D Horrobin
(2) Mr V Baker
Respondent: Kirklees College

AT A PRELIMINARY HEARING

Heard at: Leeds **On:** 5th January 2022
Before: Employment Judge Lancaster

Representation

Claimants: Mr D Ibekwe, Brighton & Hove Race Project
Respondent: Mr P Sangha, counsel

JUDGMENT

1. The claims of Mr Baker in cases 1803882/2021 and 1804384/2021 all have no reasonable prospect of success and are dismissed.
2. The complaint of Mr Horrobin (case 1803877/2021) that any potentially protected qualifying disclosure in fact made in respect of his alleged legal rights, whether to be subject to a detailed job evaluation, or to be subject to a health and safety risk assessment or otherwise, in respect of the proposed variation to the terms of his contract, has no reasonable prospect of being held to have been made in the public interest. All claims of having been subjected to a detriment because of his having made any such disclosure also, therefore, have no reasonable prospect of success and are dismissed.
3. The complaints of Mr Horrobin (case 1804380/2021) that his dismissal was automatically unfair either under section 104 of the Employment Rights Act 1996, in respect of an assertion that his right to take time off for dependants under section 57A had been infringed, or under section 99 that the principal reason for termination was in prescribed circumstances relating to the taking of time off under section 57A, have no reasonable prospects of success, and are dismissed.
4. The complaint of Mr Horrobin (case 1804380/2021) that his dismissal was less favourable treatment because of the disability of his wife and/or his father-in-law (“direct associative disability discrimination”) has no reasonable prospect of success and is dismissed.

Cases: 1803877/2021,
1803882/2021, 1804380/2021 &
1804384/2021

EMPLOYMENT JUDGE LANCASTER

DATE 6th January 2022

JUDGMENT SENT TO THE PARTIES ON: 7 January 2022

AND ENTERED IN THE REGISTER

Note

Reasons for the judgment having already been given orally at the hearing, written reasons will also be provided in due course upon the request of the Claimants' representative.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.