



EMPLOYMENT TRIBUNALS

Claimant: Mr H-S Moune Nkeng

Respondents: (1) Barclays Execution Services Limited
(2) Mr J Kim
(3) Mr G Reinacker
(4) Ms Hua Yi Li
(5) Mr P Rood
(6) Ms F Richardson

And in Case No: 3200325/2021 (additionally)

(7) Konstantina Armata (R5)
(8) Claire Fordham (R6)
(9) Sonya Boniface (R7)
(10) Estelle Gonzalez (R8)
(11) Melanie Phillips (R9)

Heard at: East London Employment Tribunal

On: 20 and 21 May 2021 via CVP

Before: Employment Judge Crosfill

Appearances

For the Claimants: Althea Brown of Counsel
For the Respondents: Claire McCann of Counsel

JUDGMENT

Disability

1. The Tribunal found that the Claimant met the statutory test for disability set out in Section 6 of the Equality Act 2010 from 1 March 2016 by reason of a physical impairment to his knee joints and not before.

Case Numbers: 3202089/2020 & 3202090/2020 & 3200325/2021

2. Insofar as the Claimant's claims relied upon any disability predating 1 March 2016 the said claims are struck out as having no reasonable prospect of success.

3. By consent the Claimant's claims brought under Sections 19 and 39 of the Equality Act 2010 of indirect discrimination based on the protected characteristics of Race or disability are dismissed upon withdrawal by the Claimant.

4. The Claimant's claims in case No: 320325/2021 against Konstantina Armata (R5), Clair Fordham (R6) and Sonya Boniface (R7) are struck out on the basis that there were no allegations pleaded against them and accordingly the claims had no reasonable prospects of success.

BY CONSENT

AND UPON the Respondents agreeing that they will take no point arising from the ACAS Early Conciliation process in respect of Case No 320090/2020

5. Case No 3202089/2020 is dismissed upon withdrawal by the Claimant.

**Employment Judge Crosfill
Date: 16 February 2022**