



EMPLOYMENT TRIBUNALS

Claimant

Respondent

v

Mr Toby Dabell

OCNR (EMEA) Ltd,
Ellis Recruitment Group Limited

Heard at: London South Employment Tribunal

On: 13-21 June 2022

**Before: EJ Webster
Ms J Jerram
Mr M Cann**

Appearances

For the Claimant:

Mr S Rahman (Counsel)

For the Respondent:

Mr Walker (Counsel)

JUDGMENT

Liability

1. The Claimant's claim for direct disability discrimination under s13 Equality Act 2010 is not upheld.
2. The Claimant's claim for indirect disability discrimination under s19 Equality Act 2010 is upheld.
3. The Claimant's claim for discrimination arising out of disability under s15 Equality Act 2010 is upheld.
4. The Claimant's claim for harassment relating to disability is partially upheld.
5. The Claimant's claim for failure to make reasonable adjustments is upheld under s20-21 Equality Act 2010.
6. The Claimant's claim for breach of contract is not upheld.

Remedy

7. The Respondent is to pay the Claimant the following sums:

Interest calculations were done in the presence of the parties and were agreed.

Compensation in respect of financial losses	£6,628.65
Interest on those losses at 8% on 384 days	£557.90
Compensation for Injury to Feelings	£15,000
Interest on the Injury to Feelings Award at 8% on 813 days	£2,672.88
Total payable	£24,859.43

8. The claimant's costs application is to be determined and will be sent in a separate Judgment.

Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.

Employment Judge Webster

Date: 22 June 2022

For the Tribunal Office