



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Dunsford

**Respondent:** Openreach Ltd

**Heard at:** Cardiff

**On:**  
22 November 2023  
23 November 2023  
24 November 2023

**Before:** Employment Judge R Brace  
Ms D Hebb  
Mr M Lewis

## REPRESENTATION:

**Claimant:** Mr G Colk (Trade union representative (CWU))  
**Respondent:** Mrs Hanmer (Solicitor)

## JUDGMENT

**The unanimous judgment of the Tribunal is as follows:**

### **Unfair Dismissal**

1. The complaint of unfair dismissal (s.238 Trade Union Labour Relations (Consolidation) Act 1992) is dismissed on withdrawal by the Claimant.
2. The complaint of unfair dismissal (s.152(b)(1) Trade Union Labour Relations (Consolidation) Act 1992) is not well founded and is dismissed.
3. The complaint of unfair dismissal (s.98 Employment Rights Act 1996) is not well-founded and is dismissed.

**Disability**

4. At the relevant times the Claimant was a disabled person as defined by section 6 Equality Act 2010 because of anxiety, depression and tinnitus.

**Failure to make reasonable adjustments for disability**

5. The complaint of failure to make reasonable adjustments for disability is not well-founded and is dismissed.

**Employment Judge Brace  
24 November 2023**

Judgment sent to the parties on 27 November 2023

For the Tribunal Mr N Roche

**Note**

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

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