



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr Robert Magnus

v

Car World (Cambs) Limited

Heard at: Cambridge

On: 21 and 22 March 2024

Before: Employment Judge Ord

Members: Ms W Smith and Mr C Grant

Appearances

For the Claimants: Mr S Patel, Counsel

For the Respondent: Mr D Flood, Counsel

JUDGMENT

The unanimous decision of the Employment Tribunal is:

1. The Claimant was dismissed on 24 November 2020.
2. The Respondent having accepted that such dismissal was an act of unfavourable treatment because of something arising (absence) from the Claimant's admitted disability (cancer), the Claimant has a finding of unlawful discrimination, specifically unfavourable treatment because of something arising from his disability, contrary to s15 Equality Act 2010.
3. The Claimant has been out of work since the dismissal. He has been unfit for work throughout that period and has not attempted to mitigate his loss and his financial losses are nil.
4. The Claimant and the Respondent have agreed that an appropriate sum by way of payment for injury to feelings is £15,000 and the tribunal endorses that agreement.
5. Finally, the Claimant is entitled to interest on that sum at 8% per annum from the date of the act of discrimination, 24 November 2020, to date. Three years, 118 days amounting to £3,989.00.

6. The total award to the Claimant is: **£18,989.00**

25 March 2024

Employment Judge M Ord

Sent to the parties on: 16/4/2024

N Gotecha

For the Tribunal Office

Note:

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.

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.

Recording and Transcription

Please note that if a Tribunal Hearing has been recorded you may request a transcript of the recording, for which a charge is likely to be payable in most but not all circumstances. If a transcript is produced it will not include any oral Judgment or Reasons given at the Hearing. The transcript will not be checked, approved or verified by a Judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>