



# EMPLOYMENT TRIBUNALS

**Claimant:** Mx C Kimber

**Respondent:** Cardiff and Vale University Local Health Board

**Heard at:** Cardiff **On:** 8, 9, 10, 11, 12, 15 & 16 April 2024

**Before:** Employment Judge S Jenkins  
Mr M Cronin  
Mr A Fryer

## Representation

Claimant: Mr M Jackson (Counsel)

Respondent: Mr J Feeny (Counsel)

# JUDGMENT

1. The Claimant's complaint of discrimination arising from disability, pursuant to section 15 of the Equality Act 2010 ("EqA"), succeeds.
2. The Claimant's complaint of harassment related to disability, pursuant to section 26 EqA, fails and is dismissed.
3. The Claimant's complaint of victimisation, pursuant to section 27 EqA, fails and is dismissed.
4. The Claimant's complaint of unfair dismissal, pursuant to section 94 of the Employment Rights Act 1996, succeeds.
5. The Claimant's complaint of failure to make reasonable adjustments, pursuant to section 21 EqA, succeeds.

Employment Judge S Jenkins

Date: 16 April 2024

JUDGMENT SENT TO THE PARTIES ON 18 April 2024

FOR THE TRIBUNAL OFFICE Mr N Roche

**Notes**

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](http://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 may be payable. 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/>