



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant **and** **Respondent**
Mr C. Apuhin **Eastleigh Care Homes HR Limited**

Held at: Exeter by Video **On: 11 April 2024**

Before: Employment Judge Smail

Appearances

Claimant: In Person
Respondent: Mr J. Anderson (Counsel)

PRELIMINARY HEARING JUDGMENT

1. The Claimant was not a disabled person within the meaning of the Equality Act 2010 at any time relevant to these proceedings.
2. The Claimant's claims under the Equality Act 2010 are dismissed.
3. The Respondent withdraws its applications for a deposit against the Claimant because he is impecunious.
4. The Claimant's application to amend the claims dated 1 April 2024 is dismissed, save that the Claimant may claim automatic unfair dismissal under s.100(1)(c) and detriments under s.44(1)(c) of the Employment Rights Act 1996 in respect of the same facts presently claimed as Protected Disclosure automatic unfair dismissal and Protected Disclosure Detriments at paragraphs 3, 4 and 5 of list of issues contained in the order of Employment Judge Livesey dated 22 January 2024 (following paragraph 89 of the case management orders of that date).
5. For the avoidance of doubt, the claims under the Equality Act 2010 set out at paragraphs 6, 7, 8 and 9 of the list of issues contained in the order of

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Employment Judge Livesey (following paragraph 89 of the case management orders dated 22 January 2024) are dismissed.

Full oral reasons were given at the Preliminary Hearing. If any party requires written reasons, they must email the Bristol Employment Tribunal within 14 days of this Judgment being sent to the parties.

Employment Judge Smail
Date: 11 April 2024

Judgment sent to the parties on 25 April 2024

For the Tribunal Claim