



## EMPLOYMENT TRIBUNALS

**Claimant:** Ms B Omorawa

**Respondent:** Royal Borough of Kensington and Chelsea

### FULL MERITS LIABILITY AND REMEDY HEARING

**Heard in person on 20-25 May 2024**

**Before:** Employment Judge Nicolle

**Non-legal members:** Ms C Jones and Mr T Harrington-Roberts

**For the Claimant:** Mr J Sheng of Counsel

**For the Respondent:** Ms G Crew of Counsel

### JUDGMENT

1. The claim pursuant to sections 20 and 21 of The Equality Act 2010 (the EQA) for not taking into account the Claimant's needs when choosing the location of a locker between 2 August and 4 August 2022 succeeds.
2. The claim for a failure to make a reasonable adjustments pursuant to sections 20 and 21 of the EQA in respect of the PCP of not allocating lockers to employees promptly when they started work with the Respondent, and not having a policy of assessing employees home working arrangements, and adjustments that might be needed in their homes before requiring them to work from home, fail and dismissed.
3. The Claimant is awarded £3000 for injury to feelings.

Calculation of interest

Injury to feelings award

4. In accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996 (s.1996/2803) the Claimant is awarded interest on the injury to feelings awarded under the EQA which is calculated based on the prevailing rate of interest under s.17 of the Judgments Act 1838 which for the applicable period is 8%.

5. Therefore based on injury to feelings award of £3000 interest, calculated at a rate of 8%, with the date of the prohibited act of 2 August 2022, and calculation date of 24 May 2024, is 662 days and therefore £435.29. The total sum payable to the Claimant is therefore £3435.29.

Tax

6. The award for injury to feelings, given that it is unrelated to the termination of employment, is tax free.

Oral reasons

7. Oral reasons for both the liability and the remedy decisions were given to the parties. Either party may request written reasons within 14 days of this judgment being sent to them.

Employment Judge Nicolle

Dated: **25 May 2024**

Sent to the parties on:

31 May 2024

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For the Tribunal Office