



THE EMPLOYMENT TRIBUNALS

Claimant: Mr D Vinas
Respondent: WPP 2005 Limited
Heard at: London South Employment Tribunal (video hearing)
On: 24 July 2026
Before: Employment Judge Robinson

Appearances

For the claimant: Mr L Dilaimi (Counsel)
For the respondent: Mr O Mills (Counsel)

JUDGMENT

The judgment of the Tribunal is that the claimant does not meet the definition of a disabled person for the purpose of section 6 of the Equality Act 2010. The following claims, that are dependent on disability status, are therefore dismissed:

1. Direct discrimination
2. Discrimination arising from disability
3. Indirect discrimination
4. Failure to make reasonable adjustments

WRITTEN REASONS

1. I gave the above judgment at the hearing on 24 July 2026, together with oral reasons. At that hearing the claimant requested written, which I have set out below.

Introduction and background

2. The issue for determination at the Open Preliminary Hearing on 24 July 2025 was whether the claimant was a disabled person within the meaning of section 6 Equality Act 2010 at the relevant time (July to August 2024). This was the period during which the alleged acts of discrimination occurred and during which the claimant alleges that he was disabled by reason of Attention Deficit Hyperactivity Disorder ("ADHD").
3. I heard evidence from the claimant and considered the documentary evidence contained within the hearing bundle, including the claimant's Disability Impact Statement, his Supplemental Impact Statement and the various medical records and diagnostic reports.

The Law

4. Section 6 Equality Act 2010 provides:

"A person (P) has a disability if:

(a) P has a physical or mental impairment; and

(b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities."
5. The burden is on the claimant to establish on the balance of probabilities that he satisfies that statutory definition.
6. The statutory question requires consideration of four matters:
 - a. whether the claimant had a physical or mental impairment;
 - b. whether that impairment had an adverse effect on normal day-to-day activities;
 - c. whether the adverse effect was substantial; and
 - d. whether it was long-term.
7. "Substantial" means more than minor or trivial. It is not enough that an impairment causes inconvenience, stress or a preference for one working environment over another. The effect must go beyond the normal differences in functioning that exist between people.
8. The Tribunal must determine the impact of the impairment relied upon by the claimant. A diagnosis does not itself establish disability. The Tribunal must make findings about the actual effect of the impairment on the Claimant's ability to carry out normal day-to-day activities.

Findings of Fact and Conclusions

9. The claimant was diagnosed with ADHD on 24 January 2025. I accept that diagnosis and the respondent did not dispute that the diagnosis was made.
10. I have also considered the contents of the ADHD assessment report itself, on which the claimant was asked several questions during cross-examination. The report provides evidence of difficulties with concentration, attention, organisation, executive functioning and task management. I accept that the diagnosis reflects a clinical judgment that the claimant experiences genuine difficulties in those areas. However, a diagnosis and the symptoms leading to that diagnosis do not, in and of themselves, establish that the statutory definition of disability is met. The question for the Tribunal is whether those difficulties gave rise, during the relevant period, to a substantial adverse effect on the claimant's ability to carry out normal day-to-day activities.
11. The claimant was subsequently diagnosed with Autism Spectrum Disorder ("ASD"). However, the disability relied upon in these proceedings is ADHD. The claimant has not sought permission to amend his claim to rely upon ASD as a separate disability.
12. The claimant relies upon two impact statements and a range of medical records to establish that ADHD had a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities.
13. In his Supplemental Impact Statement and in his oral evidence, however, the claimant stated that ADHD and ASD overlap and that it is often difficult to disentangle the two and ascribe effects to one condition rather than the other. It also became clear through the claimant's oral evidence that there were several inconsistencies between his first impact statement, his supplemental statement and the ADHD report, for example in relation to whether his ADHD caused him to miss deadlines, or conversely, whether he experienced stress because of his diligence in meeting deadlines. I have also assessed this in the context of the claimant's oral evidence which, at times, I found to be inconsistent and unconvincing.
14. However, even if I assume in the claimant's favour that the difficulties he describes are attributable to ADHD (putting the non-pleaded ASD to one side), I am not persuaded that they amount to adverse effects which are more than minor or trivial. In reaching that conclusion I have considered both the individual effects relied upon and their cumulative impact. The claimant was able to maintain employment at a very senior level,

- manage complex responsibilities and perform demanding professional functions throughout his career. Whilst that is not determinative, it forms part of the overall factual context in which substantiality must be assessed.
15. The claimant described finding deadlines stressful, tending to postpone tasks until deadlines approach and then completing work under pressure. He stated that this was anxiety-inducing and exhausting. However, and of course without wishing to diminish the difficulties encountered by the claimant, it is not uncommon for people to experience stress in this way when working to deadlines in senior-level jobs. Viewed objectively, the evidence in this context does not demonstrate an effect that is more than minor upon the claimant's ability to carry out normal day-to-day activities.
 16. The claimant also described a preference for working from home because he finds it easier to concentrate in a quieter environment and because he found open-plan offices distracting, noisy and artificial light uncomfortable. Again, I take judicial notice of the fact that these are fairly common preferences among the workforce and I am not satisfied that preferring (and being more productive in) a quiet environment at home, rather than a busy open-plan office, reaches the required threshold of having a substantial adverse effect on day-to-day activities.
 17. Similarly, the claimant described finding travel on the London Underground crowded, hectic and unpleasant, particularly at busy times. That is also a common experience shared by very many people. The claimant's evidence does not persuade me that the effect upon him was of such severity that it went beyond the ordinary frustrations, stresses and discomforts associated with travel on busy public transport.
 18. I have also considered the claimant's evidence regarding sensory overload, panic attacks and difficulties in crowded environments. Whilst I accept that he experiences discomfort and anxiety in such situations, I have not seen or heard evidence to demonstrate episodes of sufficient frequency, severity or functional impact during the relevant period to amount to substantial adverse effects on normal day-to-day activities. The evidence demonstrates difficulties but, in my view, not at the required level of substantial adverse effect required by section 6 of the Equality Act 2010.
 19. The same is also true of several other matters relied upon by the claimant, e.g. preferring routine, finding change stressful, becoming

- anxious in busy environments and finding social interactions draining. Taken individually or cumulatively, the claimant's descriptions in his written and oral evidence largely amount to matters of preference, inconvenience, stress or reduced comfort rather than evidence of substantial adverse effects of an impairment.
20. I do not suggest that the claimant experiences no difficulties. I accept that he does. The question for the Tribunal, however, is not whether the claimant experiences difficulties. The question is whether the pleaded impairment had a substantial adverse effect upon his ability to carry out normal day-to-day activities.
21. Standing back and considering the evidence as a whole, I am not persuaded that the effects described, even taken at their highest, amount to effects that are more than minor or trivial.
22. It is unnecessary for me to reach a conclusion on the 'long-term' requirement of the statutory test because my findings on substantial adverse effect are sufficient to dispose of the disability issue.
23. Accordingly, the Claimant has failed to establish that he was a disabled person within the meaning of section 6 Equality Act 2010 at the material time. The effect of my decision is that the parts of his claim that are dependent on disability status are dismissed.

Employment Judge Robinson

Date: 24th July 2026

JUDGMENT AND REASONS SENT TO THE PARTIES ON

12th August 2026

FOR THE TRIBUNAL OFFICE