



EMPLOYMENT TRIBUNALS

Claimant: Mohammad Asghar Malik
Respondent: Buckinghamshire Healthcare NHS Trust
Heard at: Watford (by CVP) **On:** 14 August 2026
Before: Employment Judge Grahame Anderson

Appearances

For the claimant: Mr T Malik (the claimant's father)
For the respondent: Mr Brown (counsel)

JUDGMENT

1. In so far as the claim form seeks to complain of common-law negligence, or of breach of the Health and Safety at Work Act 1974 or the Management of Health and Safety at Work Regulations 1999, the Tribunal has no jurisdiction to consider those complaints and they are dismissed.
2. The claimant's application of 14 May 2025 to amend the claim is allowed to the following extent:
 - (a) by consent, the claimant may pursue the following as allegations of harassment related to disability: (i) unscheduled Teams calls between 9 and 31 January 2025; (ii) comments made at the one-to-one meeting on 28 March 2025, including the comparison of the claimant's performance with that of a non-disabled colleague; and (iii) on 8 July 2025, the refusal of deadline and budget-meeting support notwithstanding Band 3 availability and, as (iv) the comment that if the claimant was not fit to work he should be off sick;
 - (b) by consent, the claimant may rely on the unscheduled Teams calls between 9 and 31 January 2025 within his complaint of failure to make reasonable adjustments; and

- (c) the claimant may rely on the events of 8 July 2025 within his complaint of failure to make reasonable adjustments.
3. The application is otherwise refused. In particular, the claimant does not have permission to add a complaint of direct disability discrimination, or to add the “objectives” and “appraisals” provisions, criteria or practices to his complaint of indirect disability discrimination.
4. For the avoidance of doubt, the proposed allegation of a failure to provide flexibility with deadlines “from 22 May 2023 to date” was not pursued by the claimant and forms no part of the claim.

Approved by:
Employment Judge Grahame Anderson
14 August 2026

Sent to the parties on:
22 September 2026

For the Tribunal Office

Useful information

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

The Employment Tribunals Rules of Procedure are here:

<https://www.gov.uk/government/publications/employment-tribunal-procedure-rules>

You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here:

<https://www.gov.uk/appeal-employment-appeal-tribunal>

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. You can access the Direction and the accompanying Guidance here:

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