



EMPLOYMENT TRIBUNALS

Claimant: Mr A K Pollard Wilson

Respondent: Liverpool University Hospitals NHS Foundation Trust

HELD AT: Liverpool

ON: 30, 31 August, 1 and 2
September 2022

BEFORE: Employment Judge Johnson

MEMBERS: Mr J Murdie
Ms H Price

REPRESENTATION:

Claimant: Ms L Millin (counsel)

Respondent: Mr A Gibson (solicitor)

JUDGMENT

The judgment of the Tribunal is that:

1. The complaint of unfair dismissal is well founded and succeeds. However, because the dismissal results from procedural unfairness, the Tribunal finds that the adoption of a fair procedure would have delayed a fair dismissal to a date no later than 14 September 2020.
2. The complaint of direct disability discrimination (s.13 Equality Act 2010) is not well founded and is dismissed. This means the complaint is unsuccessful.
3. The complaint of discrimination arising from a disability (s.15 Equality Act 2010) is not well founded and is dismissed. This means the complaint is unsuccessful.
4. The complaint of a failure to make reasonable adjustments (ss.20 & 21 Equality Act 2010) is not well founded and is dismissed. This means the complaint is unsuccessful.

5. The case will proceed to a remedy hearing with a hearing length of 1 day on Friday **2 December 2022** to determine remedy in the successful unfair dismissal complaint. The hearing will take place remotely by CVP.

Employment Judge Johnson

Date 2 September 2022

JUDGMENT SENT TO THE PARTIES ON
6 September 2022

FOR THE TRIBUNAL OFFICE

Note

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.