



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr. S. Ellery

**Respondent:** Mid and West Wales Fire and Rescue Service

**HELD AT/BY:** Wrexham & Mold by CVP    **on:** 9<sup>th</sup> – 13<sup>th</sup> May 2022

**BEFORE:** Employment Judge T. Vincent Ryan  
Ms L. Owen  
Ms J. Kiely

## REPRESENTATION:

**Claimant:** Ms A. Johns, Counsel

**Respondent:** Mr A. Roberts, Counsel

# JUDGMENT

The unanimous judgment of the Tribunal is that the claimant's following claims, all of which were presented to the Tribunal in time, fail and are dismissed:

1. Failure by the respondent to make reasonable adjustments in accordance with a statutory duty to do so (ss 20-22 Equality Act 2020).
2. Unfair Dismissal. The claimant was fairly dismissed on 11<sup>th</sup> March 2021 for a reason related to capability by reference to health and another substantial reason, being concern for matters of health and safety.
3. That the respondent treated the claimant unfavourably because of something arising from disability (s.15 Equality Act 2010).

Employment Judge T.V. Ryan

Date: 13/05/2022

JUDGMENT SENT TO THE PARTIES ON 16 May 2022

FOR THE TRIBUNAL OFFICE Mr N Roche

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 (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.