



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Mr M Kent

and

Respondent
Reading Borough Council

Preliminary Hearing held at Reading on 12 July 2017

Representation
Claimant: Ms N Owen, counsel
Respondent: Ms A Reindorf, counsel

Employment Judge Mr SG Vowles (sitting alone)

PRELIMINARY HEARING JUDGMENT

Evidence

1. The Tribunal heard submissions and evidence on oath and read documents provided by the parties. From the evidence heard and read the Tribunal determined as follows.

Unfair Dismissal

2. This complaint was withdrawn by the Claimant at the start of the hearing and it is dismissed.

Protected Disclosure Detriment

3. This complaint was withdrawn by the Claimant at the start of the hearing and it is dismissed.

Disability Discrimination 2012-2015

4. The complaints of disability discrimination relating to the period 2012-2015 were presented out of time and there is no reasonably arguable basis for the contention that they form part of conduct extending over a period nor any reasonably arguable basis for a just and equitable extension of time. These complaints are dismissed.

Disability Discrimination 2016

5. The complaints of disability discrimination relating to 2016 were presented in time. No later than **9 August 2017** the Claimant shall confirm to the Tribunal, and to

the Respondent, whether these complaints are being pursued and, if so, provide further and better particulars of the factual and legislative basis for these complaints.

6. No later than **6 September 2017** the Respondent shall confirm to the Tribunal, and to the Claimant, its response to these complaints.

Preliminary Hearing

7. With the agreement of the parties, the case is listed for a 1 day preliminary hearing before an Employment Judge on **7 December 2017** commencing at 10.00am at Reading Employment Tribunals, 30-31 Friar Street (Entrance in Merchants Place), Reading RG1 1DX.

8. The purpose of the preliminary hearing is to determine the following:

8.1 Whether the complaints have no reasonable prospect of success and should be struck out;

8.2 Whether the complaints have little reasonable prospect of success and should be made the subject of a deposit order;

8.3 Whether there are grounds for making a costs order.

9. No postponement of the preliminary hearing will be granted unless there are exceptional and unforeseen circumstances.

Reasons – rule 62 of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

10. Reasons for this judgment were given orally at the hearing. Written reasons will not be provided unless a written request is presented within 14 days of the date this judgment is sent to the parties.

Employment Judge Vowles

Date: 12 July 2017

Sent to the parties on: ..12/08/2017...

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For the Tribunals Office