



## EMPLOYMENT TRIBUNALS

Claimant

**Mr A Clark**

v

Respondent

**Motus Group (UK) Limited  
t/a Pentagon Group**

**Heard at: Sheffield**

**On: 20 January 2020**

**Before: Employment Judge Brain**

**Representation:**

**Claimant: Mr T Draper, Solicitor**

**Respondent: Miss L Amartey, of Counsel**

## JUDGMENT AT PRELIMINARY HEARING

The Judgment of the Employment Tribunal is that: -

1. The claimant was at all material times (between January and May 2019 inclusive) a disabled person for the purposes of section 6 of the Equality Act 2010 because of the mental impairment of anxiety.
2. The respondent had at all material times knowledge of the claimant's disability for the purposes of the claimant's claims brought under section 15 and section 20 of the 2010 Act. *(For the avoidance of doubt, in relation to the latter, there is no finding that the respondent had actual or constructive knowledge of what the claimant contends to be the substantial disadvantages caused to him by reason of the application to him of the relevant provisions, criteria and practices because of the mental impairment of anxiety).*

**Employment Judge Brain**

27<sup>th</sup> January 2020

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.

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