



EMPLOYMENT TRIBUNALS

Claimant: Mrs K Singh

Respondent: Marks and Spencer plc

Heard at: Birmingham Employment Tribunal by cvp

On: 15 – 19 and 22 - 23 February 2021 (tribunal members sitting in chambers on 19 and 22 February 2021)

Before: Employment Judge Cookson sitting with Mrs Evans and Mr Howard

Representation

Claimant: Mr S Liberadzki (counsel)

Respondent: Mr H Sheehan (counsel)

JUDGMENT

The unanimous judgment of this Tribunal is that:

1. The claimant's claim that she was dismissed contrary to s95 Employment Rights Act 1996 (ERA) and was unfairly dismissed contrary to S94 fails and is dismissed.
2. The claimant's claims for direct disability discrimination contrary to S13 EQA 2010 and associative disability discrimination were not pursued and are dismissed.
3. The claimant's claim for discrimination arising from disability contrary to S15 Equality Act 2010 ("EQA 2010") fails and is dismissed.
4. The claimant's claim for indirect disability discrimination contrary to S19 EQA 2010 fails and is dismissed.
5. The claimant's claim of disability related harassment contrary to S26 EQA 2010 fails and is dismissed.
6. The claimant's claim for indirect sex discrimination contrary to S19 EQA 2010 fails and is dismissed.
7. The claimant's claim for unlawful deduction from wages contrary to S23 ERA 1996 fails and is dismissed.

Employment Judge Cookson

Date 24/02/2021