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# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C Cooke

**Respondent:** Greenwich Leisure Ltd

**Heard at:** East London Hearing Centre (by CVP)

**On:** 21, 22 and 24 September 2021  
In chambers on 23 September 2021

**Before:** Employment Judge Jones  
**Members:** Ms A Berry  
Ms Y Fisher

## Representation

**Claimant:** in person  
**Respondent:** Mr J Forward (HR representative)

# JUDGMENT

1. The claimant was a disabled person for the purposes of the Equality Act 2010. The respondent knew and could reasonably have been expected to know that the claimant was a disabled person from the date of his diagnosis in December 2016.
2. The claimant did not make a protected disclosure on 24 September 2019. The complaint of detriment and automatic unfair dismissal fail and are dismissed.
3. The respondent did not operate the provisions, criterion or practices the claimant relied on. There was no duty to make reasonable adjustments. That complaint fails and is dismissed.
4. The complaint of discrimination arising from disability fails and is dismissed.
5. The claimant was fairly dismissed. The complaint of unfair dismissal fails and is dismissed.

- 6. The claimant committed gross misconduct. The complaint of a breach of contract/wrongful dismissal fails and is dismissed.**

**Employment Judge Jones**

**24 September 2021**