



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Moore  
**Respondent:** Swan Lane Engineering Limited

**Heard at:** Bristol Employment Tribunal, hybrid hearing

**On:** 6, 7, 8, 9 and 10 March 2023

**Before:** Employment Judge Youngs  
Mrs D England  
Mr C Williams

## Representation

**Claimant:** Mr C Staines, lay representative  
**Respondent:** Mr M McFarlane, consultant

## JUDGMENT

- 1) The Claimant was not disabled at the material time by reason of anxiety and depression. The Respondent admitted that the Claimant was disabled by reason of his stroke and his hole in the heart.
- 2) The Respondent did not have actual or constructive knowledge that the Claimant was disabled at the material time.
- 3) The Claimant's claim of constructive unfair dismissal fails and is dismissed.
- 4) The Claimant's claim of direct disability discrimination fails and is dismissed.
- 5) The Claimant's claim of discrimination arising from disability fails and is dismissed.

Employment Judge Youngs  
Date: 03 April 2023

Judgment sent to the Parties: 06 April 2023

FOR THE TRIBUNAL OFFICE

**Case Number: 1404411/2021  
1404142/2021**

**Note:** Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.

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