



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms H Kainth

**Respondent:** (1) Dr S Babu  
(2) Dr A Ramasamy  
(3) Dr S Thankappan  
(4) Dr J Zelemal  
(collectively a partnership, trading as Townfield Doctors Surgery)

**Heard at:** Watford Employment Tribunal

**On:** 3 to 6 May and 9 to 11 May 2022

**Before:** Employment Judge Quill; Mr Kapur; Mr Murphy

## Appearances

For the claimant: In person

For the respondent: Mr Munro, Solicitor

## RESERVED JUDGMENT

- (1) The complaint that it was victimisation that Mr Kalra alleged that the claimant was racist or islamophobic succeeds.
- (2) The other complaints of victimisation fail and are dismissed.
- (3) The complaints of harassment within the definition in section 26(3) of the Equality Act ("EQA") fail and are dismissed.
- (4) The complaints of harassment within the definition in section 26(2) EQA fail and are dismissed.
- (5) At all relevant times (17 April 2020 onwards), the Claimant met the definition of a person who has a disability within section 6 EQA.
- (6) The complaint of failure to make reasonable adjustments fails and is dismissed.
- (7) The complaint of discrimination within the meaning of section 15 EQA fails and is dismissed.
- (8) The complaints of direct discrimination because of (i) race (ii) age (iii) religion (iv) sex each fail and are dismissed.

- (9) The contravention of the Act is of section 39(4)(c) (victimisation by “any other detriment”) and there was no contravention of section 39(4)(d) (victimisation by dismissal), even taking account of section 39(7)(b).
- (10) The Respondents are ordered to pay the Claimant the sum of £1720.60. The breakdown of that sum is:
- (i) £1500 for injury to feelings
  - (ii) Interest of £220.60 on that sum, being for the period 10 July 2020 to 11 May 2022 (671 days) at 8% per annum, and therefore being  $£1500 \times 0.08 \times 671/365$ .

## **Employment Judge Quill**

Date: 12 May 2022

JUDGMENT SENT TO THE PARTIES ON

13 May 2022

FOR THE TRIBUNAL OFFICE

### Notes

Reasons for the judgment having been given orally at the hearing, and written reasons having been requested, those written reasons will follow in due course.

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