



EMPLOYMENT TRIBUNALS

BETWEEN

CLAIMANT

AND

RESPONDENTS

Mrs J. Burgess

**Canolfan Gymunedol
Ystradowen Community Centre Ltd**

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

At a face-to-face Preliminary Hearing before the Employment Tribunal sitting at Swansea Magistrates' Court, Grove Place, Swansea, SA1 5DB

On Thursday, the 12th September 2024

Employment Judge: Mr David Harris (sitting alone)

Representation:

For the Claimant: In person

For the Respondent: Ms Wahabi (Litigation Consultant)

JUDGMENT

The Tribunal's decision on the preliminary issue as to whether the Claimant has, or has had, a disability within the meaning of section 6(1) of the Equality Act 2010 is as follows:

- 1. The Claimant is disabled by reason of physical impairments in the form of episodic dizziness and blurred vision arising from benign paroxysmal positional vertigo or nystagmus, which have had, and continue to have, a substantial and long-term adverse effect upon her ability to carry out normal day-to-day activities since December 2021.**

- 2. The Claimant is disabled by reason of mental impairments in the form of anxiety and episodic low mood arising from anxiety and depression, which have had, and continue to have, a substantial and long-term adverse effect upon her ability to carry out normal day-to-day activities since December 2022.**

- 3. The Claimant is disabled by reason of both mental and physical impairments in the form of low mood, mood swings, night sweats, aching joints, insomnia, fatigue, painful heavy bleeding, headaches, memory loss, brain fog and incontinence arising from perimenopause and menopause, which have had, and continue to have, a substantial and long-term adverse effect upon her ability to carry out normal day-to-day activities since mid-2022.**

4. The hypertension, from which the Claimant has suffered and which was diagnosed in March 2023, has not resulted in a disability within the meaning of section 6(1) of the Equality Act 2010 because the condition has not given rise to a mental or physical impairment that has had a substantial and long-term effect upon the Claimant's ability to carry out normal day-to-day activities.

Employment Judge David Harris

Dated: 12th September 2024

Judgment entered in Register
and copies sent to parties on
12 September 2024

for Secretary of the Tribunals
Mr N Roche