



EMPLOYMENT TRIBUNALS

Claimant: Mr J Taylor
Respondent: Wellspring Academy Trust

Heard at: Leeds Employment Tribunal
Before: Employment Judge Deeley

On: 21-23 April 2021

Representation
Claimant: Ms D Ellis (NASUWT representative)
Respondent: Mr S Shepherd (Solicitor)

JUDGMENT

1. The claimant's complaint of unfair dismissal succeeds.
2. The claimant's basic award shall be reduced by 50% under s122(2) of the Employment Rights Act 1996.
3. The claimant's compensatory award shall be calculated in the following manner:
 - 3.1 if the respondent had followed a fair procedure, the claimant would have been employed until 27 March 2020, when he would have been dismissed fairly with pay in lieu of notice for the period from the date of his dismissal until 31 August 2020);
 - 3.2 the compensatory award shall be increased by 10% resulting from the respondent's breaches of the ACAS Code; and
 - 3.3 the compensatory award shall be reduced by 50% under s123(6) of the Employment Rights Act 1996.
4. By consent, the respondent shall pay to the claimant compensation for unfair dismissal of £6226.98, made up of:
 - 4.1 Basic award – £807;

4.2 Compensatory award - £5419.98.

NOTES

1. Oral reasons for this judgment (including the adjustments to the basic and compensation awards set out in this judgment) were given during the hearing on 23 April 2021.
2. The parties reached agreement on the amount of the award during the hearing on 23 April 2021 and that amount is recorded in this judgment.

Employment Judge Deeley
Date: 27 April 2021