



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Matthew Gilmour

**Respondent:** Pentewan Sands Limited

**Heard at:** Southampton (By CVP)      **On:** 23-24 August 2021

**Before:** Employment Judge Self

## Appearances

For the Claimant: Mr P Sayers - Solicitor

For Respondent: Mr J Willis – Managing Director

## JUDGMENT

1. The Claim of Unfair dismissal is well founded and succeeds.
2. The Breach of Contract Claim is not well-founded and is dismissed.
3. The unlawful deduction of wages claim is dismissed upon withdrawal.
4. The Claimant's Basic Award should be reduced by 80% upon the Tribunal finding it would be just and equitable to do so.
5. The Claimant's Compensatory Award should be increased by 15% on account of a breach of the ACAS Code of Conduct and then reduced by 80% on account of Contributory Fault.
6. The Claimant shall be paid a total of **£2,694.94** made up of **£2098.40** Basic award and **£596.54** Compensatory Award.

Employment Judge Self  
Date: 24 August 2021

Sent to the parties: 30 September 2021

For the Tribunal Office