



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C West

**Respondent:** Tesco Stores Limited

**HELD AT:** Middlesbrough

**ON:** 16 December 2021

**BEFORE:** Employment Judge Aspden  
Mrs C Hunter  
Mr J Weatherston

## REPRESENTATION:

**Claimant:** Mr P Hargreaves, solicitor

**Respondents:** Mr P Morgan, counsel

## JUDGMENT

The unanimous judgment of the Tribunal is that the Respondent is ordered to pay to the Claimant the sum of £45,912.33, comprising:

1. Compensation for unfair dismissal consisting of a basic award only: £5,636.01.
2. Compensation of £34,637.60 in respect of the Respondent's contraventions of Part V of the Equality Act 2010, made up as follows:
  - a. compensation for financial loss: £13,737.60;
  - b. compensation for loss of statutory rights: £400.00;
  - c. compensation for injured feelings: £20,500.00.
3. Interest on the award under the Equality Act of £5,638.72, awarded under regulation 2 of the Employment Tribunals (Interest on Awards etc) Regulations 1996, calculated as follows:
  - a. Interest on injury to feelings award agreed at £4,223.56.
  - b. Interest on compensation for lost earnings agreed at £1,415.16.

4. The recoupment regulations do not apply to the awards.
5. The parties should try to agree whether any additional compensation should be awarded to the claimant to reflect the Gourley principle. If they cannot agree, they must send their written submissions on the matter to the Tribunal by 31 January 2022.

Employment Judge Aspden

Date 30 December 2021

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.