



EMPLOYMENT TRIBUNALS

Claimant: Mr A Beaumont

Respondent: Roberts Solicitors Ltd

Heard at: Liverpool **On:** 28 February and 1 and 2 March 2022

Before: Employment Judge Horne

Members: Ms L Atkinson
Ms S Khan

Representatives:

For the claimant: In person

For the respondent: Mr C Breen, counsel

JUDGMENT

This is the unanimous judgment of the tribunal:

1. The respondent breached the claimant's contract of employment by failing to pay his full contractual remuneration during his notice period.
2. The claimant was unfairly dismissed, in that:
 - 2.1. The sole or principal reason for the claimant's dismissal was that he was redundant, but
 - 2.2. The respondent acted unreasonably in treating that reason as a sufficient reason to dismiss the claimant.
3. If the tribunal had jurisdiction to consider the claimant's complaint under section 48 of the Employment Rights Act 1996, it would find that the respondent subjected the claimant to a detriment by placing him on furlough leave on the ground that he made a protected disclosure.
4. The tribunal did not determine whether or not it had jurisdiction to consider the claimant's complaint under that section.
5. The respondent did not harass the claimant in relation to Mrs Beaumont's disability.

6. The respondent did not discriminate against the claimant because of Mrs Beaumont's disability.
7. The respondent failed to pay the claimant for one week's accrued annual leave on termination of employment.
8. Any compensatory award for unfair dismissal will be reduced to reflect the tribunal's finding that, had the respondent not unfairly dismissed the claimant:
 - 8.1. there is an 80% chance that the claimant would have remained in employment with the respondent; and
 - 8.2. there is a corresponding 20% chance that he would have been fairly dismissed in any event on 4 July 2020.

Employment Judge Horne
2 March 2022

SENT TO THE PARTIES ON
29 March 2022

FOR THE TRIBUNAL OFFICE

This judgment follows a hearing on a remote video platform. Neither party objected to the format of the hearing.

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date on which this judgment is sent to the parties. If written reasons are provided, they will be published on the tribunal's online register which is visible to internet searches.

Paragraph 1 of the judgment was made by consent. The decisions recorded in the remaining paragraphs were disputed.