



EMPLOYMENT TRIBUNALS

Claimant: T Olaniyan

Respondent: Social Interest Group

Held at: London South Employment Tribunal by video hearing

On: 4, 5, 6 and 7 July 2022

Before: Employment Judge L Burge
J Saunders
J Cook

Representation

Claimant: O Ogunbiji

Respondent: J Scott-Joynt

JUDGMENT

The unanimous decision of the Tribunal is:

1. The claim of unfair dismissal is well founded and succeeds;
 - a. It is just and equitable for the Claimant's losses to be limited to two weeks, the date by which he would have been fairly dismissed had a fair procedure been followed (*Polkey*);
 - b. There shall be no uplift to the compensatory award for failure to follow the ACAS Code;
 - c. There shall be a reduction to the basic and compensatory awards of 50% on the grounds of contributory fault.
 - d. The Respondent is therefore ordered to pay the Claimant £1755.44 comprising:
 - i. £989.13 basic award
 - ii. £266.31 compensatory award; and
 - iii. £500 loss of statutory rights;

2. The claim of wrongful dismissal is not well founded and is dismissed;
3. The Respondent has unlawfully deducted the Claimant's pay for failure to pay for accrued but untaken 1.92 days holiday and the Respondent is ordered to pay the Claimant £168.85; and
4. The Claimant's claim of direct sex discrimination fails and is dismissed.

Employment Judge **L Burge**

Date 7 July 2022

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