



EMPLOYMENT TRIBUNALS

Claimant: Mr Stephen Stamper

Respondent: Datastor Systems Ltd

Heard at: Birmingham (by CVP video hearing) **On:** 25 and 26 July 2022

Before: Employment Judge Hena

Representation

Claimant: Mr Stamper in Person

Respondent: Ms L Badham - Counsel

REMEDY JUDGMENT

The Tribunal's findings in respect of remedy in this claim are:

1. As conceded by the respondent the dismissal of the claimant was unfair as the incorrect procedure was applied.
2. The reasoning for dismissal was one of redundancy and not a sham procedure given that it has been shown to the Tribunal that there was a takeover, with changes to the business as a result and others working for the respondent had been made redundant.

3. For the unfair dismissal of the claimant there is a nil basic pay award as the claimant received redundancy pay from the respondent which has offset any basic award that would be awarded.

4. Compensatory Award (i) Loss to date when would have been made redundant (inc loss of statutory rights& pension, deducting Polkey) £7,602.03.

TOTAL AWARD £7,602.03

Employment Judge Hena

26 July 2022

Notes

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.

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