



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr S Hanson

v

Fordbridge Town Council

Heard at: **Birmingham (conducted in public on the Cloud Video Platform)** On: **15 and 16 August 2022**

Before: **Employment Judge Kenward (sitting alone)**

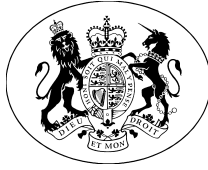
Appearances

For the Claimant: **Ms S Hanson (in person)**

For the Respondent: **Mr D Cole (lay representative)**

JUDGMENT

1. The complaint of unfair dismissal is well-founded. This means that the respondent unfairly dismissed the claimant.
2. The respondent is ordered to pay to the claimant compensation for unfair dismissal in the sum of £1,060.41 comprising of:
 - (1) a basic award in the sum of £592.88 (on the basis that the conduct of the claimant before the dismissal was such that it would be just and equitable to reduce the sum calculated of £1,185.75 by 50%);
 - (2) a compensatory award in the sum of £467.53 consisting of a prescribed element (loss of earnings in respect of the period from 23rd December 2021 to 25th January 2022) of £331.16 and a non-prescribed element (loss of statutory rights) of £136.37, with these sums having been reduced from the sums calculated of £767.92 (for the prescribed element) and £316.20 (for the non-prescribed element) on the basis of being:
 - (a) subject to a reduction of 50% under the principles in *Polkey v A E Dayton Services Limited* [1988] ICR 142;
 - (b) subject to an increase of 15% by reason of the respondent's failure to comply with the ACAS Code of Practice on disciplinary procedures; and
 - (c) subject to a further reduction of 25% as being just and equitable in respect of the dismissal having been caused or contributed to by any action of the claimant.



Case Number: **1302132/2022**

Signed electronically by me

Employment Judge Kenward

Dated 16th August 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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.