



EMPLOYMENT TRIBUNALS

Claimant: Mr D Throssell
Respondent: Openreach Limited
Heard at: East London Hearing Centre (via CVP)
On: 6 & 7 June 2023
Before: Employment Judge Fredericks-Bowyer

Appearances

For the claimant: Ms S Watson (Counsel)
For the respondent: Ms K Khatun

JUDGMENT

1. The claimant was unfairly dismissed by the respondent.
2. The claimant is due a basic award and a compensatory award, to be determined at a separate remedy stage.
3. The compensatory award is reduced by 10% under the *Polkey* principle to reflect the chance that he would have been dismissed in any event had a fair process been applied to his dismissal.

Employment Judge Fredericks-Bowyer
Dated: 7 June 2023