



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C O'Driscoll  
**Respondent:** Lift Gear Engineering Limited  
**Heard at:** East London Hearing Centre  
**On:** 09 August 2023 (In person) & 11 August 2023 (By CVP)  
**Before:** Employment Judge B Beyzade

## Representation

**Claimant:** In person  
**Respondent:** Not present or represented

# JUDGMENT

## The Judgment of the Tribunal is that:

- 1) The claims presented under claim numbers 3207292/2021 and 3206617/2021 shall be considered by the Tribunal separately (and the claims shall therefore not be considered together by the Tribunal as consolidated claims) on the ground that the Mr D Hazel was not present or represented at the Final Hearing. The Clerk to the Tribunal is directed to amend the Tribunal's records accordingly.
- 2) The claimant's claim of unfair dismissal for the reason or principal reason that the claimant made a protected disclosure pursuant to section 103A of the Employment Rights Act 1996 is well-founded and it succeeds.
- 3) In respect of the claimant's compensatory award, the Tribunal orders that the respondent shall pay to the claimant an amount of £10,087.62 for financial loss.
- 4) Under section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992 the Tribunal adjusts the award made to the claimant by increasing it by £2,521.90 being a 25 percent uplift to the award for breaches by the respondent in terms of their failure to follow the ACAS Code of Practice on

Disciplinary and Grievance Procedures. Therefore, the total amount payable to the claimant by the respondent is £12,609.52.

- 5) The Employment Protection (Recoupment of Jobseekers Allowance and Income Support) Regulations 1996 do not apply to this award.

**Employment Judge Beyzade**  
**Date: 11 August 2023**