



EMPLOYMENT TRIBUNALS

Claimant: Mr Colin Brown
Respondent: Hyden UK Limited
Heard at: East London Hearing Centre (CVP)
On: 20 February 2024 at 10am
Before: Employment Judge F Allen

Representation

Claimant: in person and assisted by Ms C McArdle
Respondent: Mr T Hyam, Director of Hyden UK Limited

REMEDY JUDGMENT

1. The respondent failed to pay accrued holiday pay and is ordered to pay the claimant the net sum of **£362.08**. The respondent is responsible for the payment of any tax or National Insurance contributions.
2. The respondent failed to pay the claimant notice pay. The respondent is ordered to pay the claimant the agreed net sum of **£1559.80**. The respondent is responsible for the payment of any tax and National Insurance contributions on the gross amount of Post Employment Notice Pay of £1725.00.
3. The claimant was unfairly dismissed by the respondent and the respondent is ordered to pay the claimant the sum of **£20,845.10** calculated as follows:

Basic Award

- (i) The agreed sum of £2587.50.

Compensatory Award

- (ii) Loss of statutory rights - £300.
- (iii) Loss of pension rights/benefits - £658.76
- (iv) Loss of wages between 6 July 2023 and 20 February 2024 of £9426.15 after 25% deduction for the claimant's failure to mitigate loss.
- (v) Future losses of £5179.90

Total £14606.05

- (vi) The respondent unreasonably failed to comply with the ACAS Code

of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to increase the compensatory award payable to the claimant by 25% in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.

Total compensatory award - £18,257.60

4. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply to this award.
5. The total sum ordered to be paid to the claimant is **£22,766.98**.

Employment Judge F Allen
Dated: 21 February 2024