



EMPLOYMENT TRIBUNALS

Claimant: Mr Matthew Hicken

Respondent: Mr Nigel Ackerman (R1)
Mrs Penelope Ackerman (R2)

Heard at: Bury St Edmunds (in person) **On:** 15 & 16 February 2024

Before: Employment Judge Laidler (sitting alone)

Representation:

Claimant: In person
Respondent: Mr N Clarke, Counsel.

JUDGMENT

1. The reason for the claimant's dismissal was redundancy a potentially fair reason falling within section 98 Employment Rights Act 1996.('ERA').
2. The respondents acted fairly in all of the circumstances of the case in treating that reason as a sufficient reason for dismissal within section 98(4) ERA.
3. Had the tribunal found the dismissal unfair, when dealing with remedy, it would have found that dismissal would have occurred in any event, within the same time period.
4. Leave to amend to bring a claim for unpaid holiday pay was refused.
5. The claimant has failed to prove that he was owed money in reimbursement of expenses and such claim fails and is dismissed.
6. The claimant was given approximately 3 months notice, more than his contractual entitlement. There was no breach of contract and the claim for wrongful dismissal fails and is dismissed.
7. The tribunal has no jurisdiction to determine a complaint relating to an alleged 'data breach' which is dismissed.

8. The tribunal is satisfied that the claimant has behaved unreasonably in the conduct of these proceedings within the meaning of Rule 76 Employment Tribunal Rules 2013.
9. Having taken into account the claimant's means it orders the claimant to pay £10,000 towards the respondents costs.

Employment Judge Laidler

Date : 20 February 2024

JUDGMENT SENT TO THE PARTIES ON

5/3/2024

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FOR THE TRIBUNAL OFFICE ..

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>