



EMPLOYMENT TRIBUNALS

Claimant: Mr J Thomas
Respondent: Team Care Support Limited
Heard at: London South Tribunal
On: 11th March 2024
Before: Employment Judge Clarke (sitting alone)

Representation

Claimant: Mr Tambyapin (Solicitor)
Respondent: Mr D Deeljur (Counsel)

The hearing of this matter took place between 3rd and 6th October 2023 with the parties before a full Tribunal with a further day in Chambers on 1st December 2021.

A reserved judgment on liability dated 31st December 2023 was sent to the parties in January 2024. The Tribunal found the complaint of unfair dismissal to be well-founded but dismissed the complaint of direct race discrimination and struck out any claim for unlawful deduction of wages.

The Tribunal further found that the Claimant would have been fairly dismissed by mid-April 2021 and consequently, the period of compensation for unfair dismissal was limited to 29th March 2021 to mid-April 2021.

Due to the unexpected unavailability of the Tribunal Members at the remedy hearing listed on 11th March 2024 the parties each agreed to the hearing being conducted before the judge alone. Both parties had provided updated schedules of loss in advance of the hearing and made oral submissions on 11th March 2024. No oral evidence was heard.

REMEDY JUDGMENT

The judgment of the Tribunal is as follows:

- 1 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.

2 The respondent shall pay the claimant the following sums:

(a) A basic award of **£542.49**.

(b) A compensatory award of **£674.59**.

No benefits were paid to the Claimant during the period 29th March 2021 to 15th April 2021 covered by the compensatory award. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply.

Employment Judge L Clarke
Date: 11 March 2024

The reasons for this decision were given orally at the hearing. Written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of this written judgment being sent to the parties.

Public access to employment tribunal decisions

Note that both 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 parties.