



# EMPLOYMENT TRIBUNALS

**Claimant:** X

**Respondent:** LR C & R Ltd

**Heard at:** Croydon

**On:** 16 – 18 July 2024

**Before:** Employment Judge Liz Ord  
Tribunal Member Grace Mitchell  
Tribunal Member Alison Sansome

**Representation:**

Claimant: Hector Phoenix (Lay representative)  
Respondent: Not attending

## JUDGMENT

1. The employment status of the Claimant is that he was an employee of the Respondent at the material time.
2. The complaints were brought within the relevant time limit, as the allegations amounted to conduct extending over a period, which culminated in the claimant's dismissal on 9 August 2022.
3. The Claimant's complaint of direct discrimination on the grounds of sexual orientation is not well-founded and is dismissed.
4. The Claimant's complaint of harassment related to sexual orientation is well-founded and succeeds.
5. The Claimant's complaint of victimization based on sexual orientation is not well-founded and is dismissed.
6. The Respondent failed to provide the Claimant with a written statement of his terms and conditions.
7. The Respondent failed to provide the Claimant with itemised pay statements.

8. The respondent is ordered to pay the Claimant compensation in the sum of **£77,861.31**, calculated as follows:

**Calculation**

1. For injury to feelings

**£28,000.00** (being at the upper end of the middle Vento band)

Plus simple interest of **£5,112.11** (from 7.4.22 (1<sup>st</sup> harassing act) to 18.7.24 (calculation date) @ 8%)

2. For financial losses

Loss of earnings of **£28,428.68** for 18 months (78 weeks) (being net salary of £440 per week for 78 weeks amounting to £34,320.00 minus mitigation earnings of £5,891.32)

Plus simple interest of **£2,595.19** (from the mid point between 7.4.22 and 18.7.24 @ 8%)

3. For failure to provide a written statement of terms and conditions: 4 weeks' pay being **£1,760.00**

4. Total award

Total before grossing £65,895.98

Take off first £30,000 which is tax free

Gross up the remainder (£35,895.98) to account for tax payable at 25%

= £47,861.31

Add back in the £30,000 (tax free)

Total award = **£77,861.31**

**This award is payable within 14 days of the date that this Judgment is sent to the parties.**

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Employment Judge Liz Ord

Date 18 July 2024

Notes

1. 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. If written reasons are provided, they will be displayed on the tribunal's online register of judgments, which is visible to internet searches.