



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr O Hall

**Respondent:** NHS Blood and Transplant

**Heard at:** Bristol Employment Tribunal

**On:** 22 November 2024

**Before:** Employment Judge Ferguson

**Members:** Mr C Williams  
Ms W Ellis

## Representation

**Claimant:** Mr A Ross, counsel  
**Respondent:** Mr M Rudd, counsel

# REMEDY JUDGMENT

**It is the unanimous judgment of the Tribunal that:**

1. The Claimant is awarded compensation for injury to feelings of £20,000 plus interest of £3,116.
2. The date for compliance is varied by consent, pursuant to Rule 66 of the Employment Tribunals Rules of Procedure. The sum of **£23,116** must be paid within 28 days of the date of the judgment.
3. The following findings were made, on the basis of which the parties will seek to agree a figure for compensation for financial losses:
  - a. If the discrimination had not occurred, the Claimant would have remained employed in the BSO role or another Band 4 role and would not have left voluntarily prior to his normal retirement date in 2035 for any non-health related reason.
  - b. Any future loss of earnings should be assessed on the basis that the

Claimant will obtain employment with an equivalent income to the BSO role 9 months after the date of the remedy hearing and any pension entitlement will be limited to the minimum required under auto-enrolment.

- c. The figures used to calculate pension loss should include a 1/3 reduction to reflect the chance that the Claimant will become unable to carry out any work for health reasons prior to his normal retirement date.
4. The parties must notify the Tribunal by 31 January 2025 of the terms of any further remedy judgment to be issued by consent or of the need for a further remedy hearing. If a further remedy hearing is requested the parties must also set out the issues to be determined, the proposed length of hearing and any dates to avoid for the following six months.

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Employment Judge Ferguson

Date: 22 November 2024

JUDGMENT SENT TO THE PARTIES ON  
06 December 2024 By Mr J McCormick

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](http://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/>