



EMPLOYMENT TRIBUNALS

Claimant: Mr Dobinson

Respondent: Mid-Herts Golf Club Limited

Heard at: Reading (by CVP)

On: 4 November 2024

Before: Employment Judge Murdoch

Representation

Claimant: Ms Lamb, lay representative

Respondent: Ms Hussain, legal representative

JUDGMENT

1. JUDGMENT on liability was promulgated on 4 October 2024. In this judgment, I found as follows in respect of the calculation of remedy for unfair dismissal:
 - a. It is possible that the claimant could have been fairly dismissed if the respondent had followed a fair procedure in dismissing him. I thereby reduce the compensatory award by 10%.
 - b. An uplift of 10% will be made under section 207A(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 to the compensatory award for unfair dismissal for the respondent's failure to follow the requirements of the ACAS Code of Practice on Disciplinary and Grievance Procedures in respect of the claimant's dismissal.
 - c. The claimant contributed by his conduct to his dismissal by failing to initiate a formal grievance in writing, and failing to allow the disciplinary procedure to run its course. I therefore make a reduction of 10% to the basic and compensatory award.
2. This judgment concerns remedy only.
3. In respect of the judgment that the Claimant was constructively unfairly dismissed, the respondent is ordered to pay the Claimant the following:
 - (a) A basic award in the sum of **£1,089** (£605 gross weekly pay multiplied by 2, and reduced by 10% for contributory fault); and
 - (b) A compensatory award in the sum of **£19,290** (£500 loss of statutory rights, plus £261 in expenses, plus £20,672 for loss of earnings (47 weeks x £503 net weekly wage, minus earnings of £834 and £2,135

in two *ad hoc* jobs), no award for future losses, and adjusted by 10% reduction for Polkey, 10% increase for ACAS uplift, and 10% reduction for contributory fault).

4. The total monetary award for unfair dismissal is therefore **£20,379** (£1,089 plus £19,290).
5. The recoupment regulations apply. The total monetary award for unfair dismissal is £20,379, being the total of the basic and compensatory awards. The prescribed element is £18,605 (loss of earnings between dismissal and remedy hearing, after Polkey/ACAS/contributory fault adjustments), and the period to which that element is attributable is between 28/10/2023 (date of dismissal) to 04/11/2024 (the date of this remedy hearing). The amount by which the monetary award for unfair dismissal exceeds the prescribed element is £1,774.

Employment Judge Murdoch
4 November 2024

JUDGMENT SENT TO THE PARTIES ON
13/12/2024

FOR THE TRIBUNAL OFFICE
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Note

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.

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