



EMPLOYMENT TRIBUNALS

Claimant: Dean McMullen
Respondent: Royal Mail Group Limited
Heard at: Bristol by Cloud Video Platform
On: 16 and 17 January 2025
Before: Employment Judge David C. Gardner

Representation

Claimant: In person
Respondent: Ms Cannell (solicitor)

JUDGMENT

1. The Claimant's complaint that he was unfairly dismissed by the respondent is well-founded.
2. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures in respect of the Claimant's dismissal and it is just and equitable to increase the compensatory award by 5% pursuant to section 207A(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 ("the 1992 Act").
3. The Claimant's dismissal was caused or contributed to by his culpable actions and it is just and equitable to reduce the basic and compensatory awards by 70% pursuant to sections 122(2) and 123(6) of the Employment Rights Act 1996 ("the 1996 Act").
4. The respondent is Ordered to pay the Claimant the sum of **£6,746.26**, which is calculated as follows:

a) Basic award:	£10,403.00
b) Compensatory award:	£11,509.08

which is calculated as follows

i) Loss of statutory rights -	£500.00
ii) Loss of earnings -	£2200.28
iii) Loss of pension -	£4877.60
iv) Travel expenses -	£3931.29
c) Uplift pursuant to 207A(2) of the 1992 Act. (11,509.08 x 5% =	575.45)
Subtotal compensatory award	£12,084.53
d) Subtotal basic and compensatory awards	<u>£22,487.53</u>
e) Less 70% (s.122 and 123 of the 1996 Act) (22487.53 x 70% =	-15,741.25
TOTAL	£6,746.26

5. The claimant did not claim benefits and the recoupment provisions do not apply.

Approved by
Employment Judge D. C. Gardner
Date: 24 January 2025

JUDGMENT SENT TO THE PARTIES ON
12 February 2025 By Mr J McCormick

FOR THE TRIBUNAL OFFICE

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.