



EMPLOYMENT TRIBUNALS

Claimant: Mr N McCarthy

Respondent: Tesco Stores Limited

Heard at: London South, by CVP

On: 11 April 2025

Before: EJ Rice-Birchall; Mr S Corkerton; Mr S Huggins

Representation

Claimant: Ms Charalambous

Respondent: Ms Corby, counsel

JUDGMENT on REMEDY

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 £2418.59.

(b) A compensatory award of £6773.56.

(c) compensation for injury to feelings of £9900.

(d) Interest on compensation for injury to feelings calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: £1920.60.

Note that these are the actual sums payable to the claimant after any deductions or uplifts have been applied.

3. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply.

Approved by:

Employment Judge Rice-Birchall

11 April 2025

Judgment sent to the parties on
16 April 2025

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. If written reasons are provided they will be placed online.

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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:

www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/