



EMPLOYMENT TRIBUNALS

Claimant: Simon Bacon

Respondent: Royal Mail Group Limited

HELD AT: Liverpool

ON: 21, 22 & 23 May 2025

BEFORE: Employment Judge Johnson

MEMBERS: Mr Graham Pennie
Ms Carly Doyle

REPRESENTATION:

Claimant: Ms S Williams (partner of claimant)

Respondent: Mr R Chaudhry (solicitor)

JUDGMENT

The judgment of the Tribunal is that:

- (1) The claimant was unfairly dismissed by the respondent on 3 January 2024. This means that the complaint of unfair dismissal is successful.
- (2) The complaint of disability discrimination is dismissed upon withdrawal by the claimant in an email sent on 9 April 2025 and confirmed at the final hearing.
- (3) The successful complaint of unfair dismissal will now proceed to a remedy hearing which will determine questions relating to:
 - (a) Compliance with the ACAS Code of Practice 1: Disciplinary and Grievance Procedures (2015) and whether compensation should be increased/reduced;
 - (b) any application of *Polkey* (any reduction in an award for future loss to reflect the chance that the claimant would have been dismissed fairly in any event); and,

(c) any reduction of an award due to contributory fault.

A remedy hearing date will be listed for one day on a date to be confirmed and the parties will provide details of dates to be avoided to the Tribunal by no later than **4pm Friday 30 May 2025**.

Employment Judge Johnson

Date: 23 May 2025

JUDGMENT SENT TO THE PARTIES ON

30 June 2025

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 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/>