



EMPLOYMENT TRIBUNALS

Claimant: Simon Clacher

Respondent: Epic Print Limited

Heard at: Southampton (by CVP)

On: 6 - 7 October 2025

Before: Employment Judge K Richardson

REPRESENTATION:

Claimant: In person

Respondent: Mr Mark Downey, Managing Director of the Respondent

JUDGMENT

The judgment of the Tribunal is as follows:

1. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
2. 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 5% in accordance with s.207(A) Trade Union & Labour Relations (Consolidation) Act 1992.
3. The Respondent is ordered to pay to the Claimant the sum of **£39,696.55**.

The award is constituted as follows:

a. Basic award

1.5 x £719 x 3	=	£3,235.50
1 x £719 x 17	=	£12,223.00

Total = £15,458.50

b. Compensatory Award

Past Losses

- i. 51 weeks (covering the period 15 October 2024 to 7 October 2025) at net pay of £621.53 which computes to £31,698.03.
- ii. Loss of employers contribution to pension 52 weeks (covering the period 15 October 2024 to 24 March 2025) at 3% of gross weekly pay computes to $0.03 \times 769.23 \times 51 = £1,176.92$
- iii. Subject to the following adjustments in the order laid out:
- iv. Income from work conducted between October and December 2024 - £4,862.90.
- v. New employment paying £27,000 gross p/a from 24 March 2025 to 7 October 2025. Sums received from new employment compute to £441.53 net per week. Sums received in this period compute to £12,362.84 nett.
- vi. Total Past Losses = £15,649.21

Future Losses

- vii. Loss of future earnings computes to $12 \times 621.53 = £7,458.36$
- viii. Loss of future Employer pension contributions = $0.03 \times 12 \times 769.23 = £276.92$
- ix. Less income over 12 weeks from Permavent = $12 \times 441.53 = £5,298.36$
- x. Total Future Losses = £2,436.92
- xi. Total Past and Future Losses = $£15,649.21 + £2,436.92 = \underline{£18,086.13}$ nett

- xii. Uplift of 5% on Past and Future losses to reflect unreasonable failure to comply with the ACAS Code of Practice on Disciplinary Procedures 2015 = £904.30.
- xiii. Total compensatory award: £18,990.44 nett
- xiv. Total compensatory award gross = £18,990.44 / 0.8 = £23,738.05
- xv. Loss of Statutory Rights: £500.00
- xvi. **Total Award:** **£39,696.55**

4. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply:

- a. The total monetary award (i.e. the compensatory award plus basic award) payable to the claimant for unfair dismissal is £39,696.55
- b. The prescribed element is £15,649.21.
- c. The period of the prescribed element is from 15 October 2024 to 7 October 2025
- d. The difference between (a) and (b) is £24,047.34.

**Approved by
Employment Judge K Richardson
7 October 2025**

Judgment sent to the parties on
29 October 2025

For the Tribunal

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 52) 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.

ANNEX TO THE JUDGMENT (MONETARY AWARDS)

Recoupment of Benefits

The following particulars are given pursuant to the Employment Protection (Recoupment of Benefits) Regulations 1996, SI 1996 No 2349.

The Tribunal has awarded compensation to the claimant, but not all of it should be paid immediately. This is because the Secretary of State has the right to recover (recoup) any jobseeker's allowance, income-related employment and support allowance, universal credit or income support paid to the claimant after dismissal. This will be done by way of a Recoupment Notice, which will be sent to the respondent usually within 21 days after the Tribunal's judgment was sent to the parties.

The Tribunal's judgment states: (a) the total monetary award made to the claimant; (b) an amount called the prescribed element, if any; (c) the dates of the period to which the prescribed element is attributable; and (d) the amount, if any, by which the monetary award exceeds the prescribed element. Only the prescribed element is affected by the Recoupment Notice and that part of the Tribunal's award should not be paid until the Recoupment Notice has been received.

The difference between the monetary award and the prescribed element is payable by the respondent to the claimant immediately.

When the Secretary of State sends the Recoupment Notice, the respondent must pay the amount specified in the Recoupment Notice to the Secretary of State. This amount can never be more than the prescribed element of any monetary award. If the amount is less than the prescribed element, the respondent must pay the balance to the claimant. If the Secretary of State informs the respondent that it is not intended to issue a Recoupment Notice, the respondent must immediately pay the whole of the prescribed element to the claimant.

The claimant will receive a copy of the Recoupment Notice from the Secretary of State. If the claimant disputes the amount in the Recoupment Notice, the claimant must inform the Secretary of State in writing within 21 days. The Tribunal has no power to resolve such disputes, which must be resolved directly between the claimant and the Secretary of State.