



EMPLOYMENT TRIBUNALS

Claimant: Mr Beresford Walker

Respondent: Wincanton Group Limited

Heard at: Croydon (by CVP)

On: 27 to 31 October 2025

Before: Employment Judge Lumby
Dr S Chacko
Mr R Singh

REPRESENTATION:

Claimant: Mr R Jones (counsel)

Respondent: Mr A Carter (counsel)

JUDGMENT

The judgment of the Tribunal is as follows:

Unfair Dismissal

1. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
2. There is a **50%** chance that the claimant would have been fairly dismissed in any event.
3. 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 **10%** in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
4. The claimant caused or contributed to the dismissal by blameworthy conduct and it is just and equitable to reduce the compensatory award payable to the claimant by **10%**.

Wrongful Dismissal

5. The complaint of wrongful dismissal is well-founded. The claimant was wrongfully dismissed and is entitled to receive a payment in respect of notice.

Automatically unfair dismissal

6. The complaints of automatically unfair dismissal for making a protected disclosure or because of race is not well-founded and are dismissed.

Direct discrimination

7. The complaint of direct race discrimination is not well-founded and is dismissed.

Harassment

8. The complaint of harassment related to race is not well-founded and is dismissed.

Victimisation

9. The complaint of victimisation is not well-founded and is dismissed.

Remedy

10. A separate hearing will be organised to consider remedy for unfair and wrongful dismissal, if not previously agreed.

Approved by:
Employment Judge Lumby
16 November 2025

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 51) 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.

Case number 2307066/2023