EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 8001841/2025

Hearing held in Glasgow on 31 March 2026

Employment Judge M Whitcombe

Mr John MacDonald — **Claimant**
In person

Neil MacKay & Co. Ltd — **Respondent**
Represented by:
Ms D Dickson
(Solicitor)

JUDGMENT

(1) By consent, the claimant was unfairly dismissed.

(2) By the time of judgment, the respondent had made payments to the claimant exceeding the claimant's entitlements to:

a. notice pay;

b. accrued entitlement to paid annual leave upon termination;

c. a statutory redundancy payment;

d. both the basic award and the compensatory award for unfair dismissal;

e. an award of 4 weeks' pay for failure to provide the claimant with a written statement of employment particulars.

(3) The ACAS Code of Practice on Disciplinary and Grievance Procedures did not apply, so I do not increase compensation because of an alleged unreasonable failure to comply with it.

(4) Therefore, the respondent is not ordered to pay any compensation to the claimant.

(5) The respondent's counter-claim for breach of contract has been withdrawn in the Employment Tribunal. However, it will not be dismissed because the respondent intends to pursue it in the civil courts.

(6) Oral summary reasons were given in the presence of the parties at the end of the hearing.

Employment Judge: M Whitcombe
Date of Judgment: 1 April 2026
Entered in register: 8 April 2026
and copied to parties