



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Y F Sum  
**Respondent:** Spaceship Wolves Limited  
**Heard at:** Birmingham  
**On:** 1 May 2026  
**Before:** Employment Judge Flood

## Representation

Claimant: In person  
Respondent: Did not attend

The Tribunal had the assistance of Ms Graham, Mandarin interpreter.

# JUDGMENT

The judgment of the Tribunal is as follows:

1. The complaint of unauthorised deductions from pay contrary to Part II Employment Rights Act 1996 is well-founded. The respondent made an unauthorised deduction from the claimant's pay in respect of:
  - (a) underpaid wages of £167 each month (in respect of a failure to implement an agreed pay rise of £2,000 per annum) from 6 December 2022 until 26 March 2025 (a period of 28 months) amounting to the sum of £4676; and
  - (b) the sum of £170.28 in respect of 12 hours work/overtime due as at 26 March 2025.

The respondent is ordered to pay to the claimant the gross sum of **£4846.28** deducted from pay.

2. The complaint of (constructive) unfair dismissal under Part X Employment Rights Act 1996 is well-founded. The claimant was unfairly dismissed. The respondent is ordered to pay the claimant the following:
  - (a) A basic award in the sum of **£2,272;**
  - (b) A compensatory award in the sum of **£22,000**

- (c) 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 £22,272
  - b. The prescribed element is £22,000.
  - c. The period of the prescribed element is from 26 June 2026 and 1 April 2026.
3. The complaints of harassment related to race are well-founded and succeed.
  4. The complaints of victimisation are well-founded and succeed.
  5. The respondent shall pay the claimant the following sums in respect of the successful complaints of harassment and victimisation:
    - (a) Compensation for injury to feelings: £25,000;
    - (b) Interest on compensation for injury to feelings calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: £1,693.15.

Total (award and interest) **£26,693.15**
  6. The unfair dismissal compensatory award and the compensation for injury to feelings award includes an uplift of 25% pursuant to section 207A Trade Union & Labour Relations Labour Relations (Consolidation) Act 1992 because the respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 by not investigating or providing an outcome to the claimant's grievance and it is just and equitable to increase the awards payable to the claimant by 25%.
  7. The complaint of direct race discrimination is not well-founded and is dismissed.
  8. The respondent refused to allow the claimant to exercise his right under regulation 10 (daily rest), regulation 11 (weekly rest) and regulation 12 (rest breaks) of the Working Time Regulations 1998. No compensation is awarded in respect of such matters having had regard to the nature of the default and any loss sustained.

Employment Judge Flood

Approved on 1 May 2026

**Note**

Notes: Summary reasons for the judgment having been given orally at the hearing in accordance with rule 60 (4A) (b) of the ET Rules, written summary 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.

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<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>