



EMPLOYMENT TRIBUNALS

Claimant: Mr J Raftery

Respondent: Westshield Limited

Heard at: Manchester

On: 24-28 November 2025, 1
December 2025, 13-17 April,
20-22 April (in chambers)
and 23 April 2026

Before: Employment Judge Cookson
Ms JK Williamson
Ms A Berkeley-Hill

REPRESENTATION:

Claimant: Mr K Raftery (the claimant's brother)

Respondent: Ms M Peckham (solicitor)

JUDGMENT

It is the unanimous decision of this Tribunal that:

1. The claimant made two protected disclosures information in accordance with s43B of the Employment Rights Act 1996 (ERA) which were also relevant concerns in accordance with s44(1)(c) of the ERA on 30 January 2023, and one further concern in accordance with s44(1)(c) in a grievance dated 12 October 2023;
2. The complaint that the claimant was automatically unfairly dismissed is not well-founded and is dismissed.
3. The complaints of being subjected to detriment for raising relevant concerns about risks of harm to health or safety under s44(1)(c) of the Employment Rights Act are not well-founded and is dismissed.
4. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed. There is a however a 100 % chance that the claimant would have

been fairly dismissed in any event and accordingly no compensatory award is made.

5. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the sum of £1595.86. The respondent shall pay the claimant that sum, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
6. The complaint about holiday pay was not actively pursued in these proceedings and is struck out.

Approved by:

Employment Judge Cookson

23 April 2026

Judgment sent to the parties on:

13 May 2026

For the Tribunal:

Notes

Summary 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. If summary written reasons are provided full written reasons can be requested within 14 days thereafter. If full written reasons are provided they will be placed online.

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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 at www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2413644/2023**

Name of case: **John Raftery** v **Westshield Limited**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 13 May 2026

the calculation day in this case is: 14 May 2026

the stipulated rate of interest is: **8% per annum**.

For the Employment Tribunal Office

GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:
www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.