



EMPLOYMENT TRIBUNALS

Claimant: Mr A Mugarura

Respondent: Nightingale Residential Care Home Ltd

Heard at: Reading

On: 14-17 April 2026

Before: Employment Judge Anstis
J Hancock
M Stewart

Representation:

Claimant: In person

Respondent: Mr A Williams (solicitor)

JUDGMENT

1. The claimant's complaints of automatic unfair dismissal are dismissed.
2. The claimant was wrongfully dismissed in breach of contract. The respondent must pay **£2,583.36** to the claimant as compensation for breach of contract.
3. The respondent subjected the claimant to unlawful race discrimination in the following manner, and must pay **£15,000** plus interest of **£2,768.22** as compensation for unlawful race discrimination:
 - a. As direct race discrimination:
 - i. By denying him the opportunity to a disciplinary hearing.
 - ii. By conducting the disciplinary procedure in a manner inconsistent with existing organisation's policies and different compared to how applied to other white colleagues.
 - iii. By dismissing him.
 - iv. By not conducting a proper investigations into the disciplinary allegations the claimant faced.

- v. By deciding the appeal grounds that formed the basis of the claimant's appeal outcome.
 - vi. By ignoring the appeal grounds he submitted and presented in an appeal hearing.
 - vii. By imposing a stronger sanction than for white colleagues who were accused of medication errors.
 - viii. By forcing the claimant to work 36-hour shifts without appropriate breaks.
 - ix. By intentionally and repeatedly allocating the claimant in a work lead position whilst there was inappropriate staffing.
 - x. By providing the claimant with basic work tasks compared to colleagues of the same position.
 - xi. The claimant's manager repeatedly shouting at him, often calling him an individual without sense or telling him to use common sense in front of colleagues.
- b. As harassment relating to race:
- i. The claimant's manager speaking to him in a despising manner before colleagues.
 - ii. His manager making a comment "Alex now feels that Pads are below his belt" just to humiliate him, and giving him the least senior tasks.
 - iii. Failing to adequately deal with his appeal, including changing his grounds of appeal.
- c. As victimisation, dismissing him.
- 4. The respondent must pay to the claimant an additional **£5,087.90** under the terms of s207A of the Trade Union and Labour Relations (Consolidation) Act 1992.
 - 5. The respondent has made unlawful deductions from the claimant's wages and must pay compensation of **£49.68** in respect of unlawful deductions from wages.
 - 6. The respondent must pay to the claimant **£1,065.93** in respect of preparation time.
 - 7. Any other claims are dismissed.

Approved by Employment Judge Anstis
20 April 2026

Judgment sent to the parties on:
26 May 2026

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For the Tribunal:

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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 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/