



EMPLOYMENT TRIBUNALS

Claimant: Mr Mohamed Ageli
Respondent: Sabtina Limited

Heard at: Watford Employment Tribunal
On: 23 February 2026
Before: Employment Judge Alliott

Representation

Claimant: Mr Ben Stanton (solicitor)
Respondent: Mr Ousseynou Ly (counsel)

JUDGMENT

Upon reconsideration by Employment Judge Alliott

The judgment of the tribunal is that:-

1. The respondent is ordered to pay the claimant a basic award of £14,070.
2. The respondent is ordered to pay the claimant a compensation order of £91,489.73.
3. The respondent has failed to pay the claimant's holiday entitlement and is ordered to pay the claimant the gross sum of £391,942.77 (subject to tax and national Insurance).
4. The claimant's claim for expenses (breach of contract) is dismissed upon withdrawal.

FULL REASONS

1. The claimant was paid £123,185.76 gross per annum, £77,368.08 net per annum at the time of his dismissal:
 - Gross monthly payment was £10,265.48, net £6,447.34
 - Gross weekly payment was £2,368.96, net £1,487.85
 - Gross daily payment of £473.79, net £297.57

Basic award

2. $20 \times 1.5 \times £700 = £21,000$
3. Reduced by 33% for contributory conduct: £14,070

Compensation award

4. The claimant would have remained employed for six months until 19 September 2024: 6 months net earnings = £38,684.04.
5. The claimant claims six months loss of earnings until 18 March 2025.
6. The claimant has not looked for alternative employment and it is the respondent's case that there has been a failure to mitigate. However, I would have to consider how long it would have been reasonable for the claimant to look for alternative employment and at what level he was likely to obtain alternative employment. In my judgment the claimant would have been unlikely to obtain comparable earnings. The claimant's evidence is that he was not intending to retire imminently when he was dismissed. In my judgment it is highly likely that the claimant would have a considerable diminution in earning capacity claim for at least two or three years and, consequently, the figure calculated, had I gone down this route, is likely to be in excess of the amount claimed.
7. I find it is reasonable to take the 18 March 2025 as the date the claimant would probably have retired.
8. Six months net earnings £38,684.04 less the notice pay payment he has already received £16,548.17 = £22,135.87.
9. Less 33% to reflect 'Polkey' = £14,831.03. No further deduction for contributory conduct is made as it would not be just and equitable to do so as the conduct involved in the 'Polkey' and contributory conduct assessments was the same.
10. $£38,684.04 + £14,831.03 = £53,515.07$.
11. I find that there was a total failure to comply with the Acas Code of Practice on Disciplinary Procedures and that it would be just and equitable to award an uplift of 25%.
12. $£53,515.07 \times 25\% = £13,378.77$.
13. The total compensation due is therefore calculated as £66,893.84. Consequently £36,893.84 needs to be grossed up.
14. $£36,893.84 \div 0.6 = £61,489.73$.
15. Consequently, the total compensatory award is £91,489.73.
16. I make no award for loss of statutory rights as the claimant has not obtained alternative employment.

Accrued holiday entitlement

17. The claimant had an accrued holiday entitlement of 1,518.75 days.
18. The claimant had taken 496 days holiday.
19. The two periods for which the claimant was paid for untaken holiday must be credited.
- 5 months: 108.6 days
 - 4 months: 86.9 days
 - $1,518.75 - 496 - 195.5 = 827.25$ days
- $827.25 \times £473.79 = £391,942.77$ (subject to tax and National Insurance)

Expenses claim

20. The claimant withdrew this claim and it will be dismissed.

Approved by:

Employment Judge Alliott

Date: 10 June 2026

JUDGMENT SENT TO THE PARTIES ON

11 June 2026

FOR THE TRIBUNAL OFFICE

Notes

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 here:

www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/