



EMPLOYMENT TRIBUNALS

Claimant: Mrs B Joseph

Respondent: Royal Mail Group Limited

Heard at: Reading **On: 26 June 2026**

Before: Employment Judge Gumbiti-Zimuto
Members: Mrs C Anderson and Mr J Appleton

Appearances

For the Claimant: In person

For the Respondent: Mr R Chaudhry, counsel

REASONS

[Reasons for remedy judgment provided at the request of the claimant.]

1. The Tribunal gave judgment in this case on 13 February 2026. The claimant's claims of unfair dismissal and discrimination arising from disability in relation to the dismissal were found to be well-founded. The hearing today was to determine remedy.
2. The claimant gave evidence addressing her losses, medical position, mitigation, and the circumstances surrounding her dismissal and the subsequent deterioration in her health. She adopted the figures set out in her Schedule of Loss.
3. She stated that her loss of earnings totalled around £44,000, comprising sums for the periods April 2024 to April 2025, and April 2025 to February 2026. She claimed loss of pension amounting to £10,800, and confirmed receipt of state benefits totalling about £33,000. She also referred to other benefits including Universal Credit, PIP, and Industrial Disablement Benefit.
4. For future loss, she indicated that her losses were such that she ought to be awarded about £19,500. She sought an uplift of about £11,000, and £500 in relation to loss of statutory rights. Her total compensatory loss was stated to be £78,479.45.
5. She stated that, in relation to injured feelings, the Tribunal should take into account the evidence she gave and the impact of the respondent's actions on her mental health.

6. The Tribunal was provided with medical records, occupational health reports, and the claimant's GP records.
7. The claimant stated she had attempted to mitigate her loss. She had applied for roles in retail, an area in which she had previously worked, and had attended one unsuccessful interview. She stated that her ankles swell in heat, causing pain, which she considers makes her an undesirable candidate for employment.
8. She has now applied for work outside the retail sector and stated she is only recently beginning to stabilise her mental health.
9. The respondent questioned her mental health position, relying on occupational health reports stating she was not fit to work. The claimant responded that her difficulties were caused or exacerbated by the respondent's treatment. She accepted a pre-existing condition but said it was worsened by the employer's conduct, referring to her GP records in support.
10. She confirmed she is currently on medication for anxiety and depression.
11. The respondent's position is that the claimant's dismissal was inevitable. It argues she failed to mitigate her loss and that the medical and financial evidence does not support the sums she seeks. It disputes that the respondent caused the deterioration in her mental health and disputes the appropriate level of award.
12. The respondent relies on the opinion of Dr Fox and the DWP Work Capability Assessment, arguing that the claimant lacked capability for work and that dismissal would have been inevitable.
13. It argues any compensatory award should be significantly reduced, if not extinguished, because the claimant has not demonstrated she would have remained in employment. It also argues that she failed to demonstrate adequate efforts to seek work, having applied only for retail roles.
14. The respondent says the claimant suffered no loss of earnings, because at the point of dismissal her entitlement to contractual sick pay had ended. Her annual salary was approximately £23,000. It says her receipt of benefits totals around £35,000, meaning she received more than she would have earned.
15. The respondent accepts the claimant's pension loss figure of £2,152.
16. It argues the claimant has not produced medical evidence to support injured feelings and suggests £15,000 would be appropriate.
17. It further argues that the claimant's failure to appeal to an independent assessor should result in a deduction of up to 25%.

Tribunal's Conclusions

18. The Tribunal concludes that the claimant's claimed loss totalling £78,479.45 is unsustainable, excessive, and bears no relationship to the reality of the position.
19. Unfair Dismissal
 - Basic award: £7,372.50
 - Loss of statutory rights: £500
 - Loss of earnings: No award. At dismissal, the claimant was no longer entitled to contractual pay, there was no evidence she could return to work in the near future, and no alternative roles were available.
20. However, the claimant is entitled to recover holiday pay and pension payments up to today's date:
 - 56 days' holiday pay: £3,622.24
 - Pension payments: £4,305.36
21. Total compensatory award: £8,427.60
22. These sums would have been paid to the claimant had she remained employed. They are subject to recoupment provisions.
23. Future Loss: The Tribunal accepts the respondent's submission that future losses arise from the claimant's inability to work, not from the dismissal. Even the claimant must accept her employment would likely have ended fairly at some point. Therefore, no award for future loss of earnings is just or equitable.
24. Injury to Feelings: The respondent conceded that £15,000 would be a just and equitable award. The claimant sought a higher sum. Having considered all circumstances—including the claimant's health, the impact of dismissal, and the fact that dismissal was not the sole cause of her condition—the Tribunal awards £18,000, placing the case within the middle Vento band.
25. Interest: I award Interest on the injury to feelings award in the sum £2,864.22.
26. Uplift / Deduction: The respondent invited a reduction due to failure to pursue the second-stage appeal. The claimant did submit an appeal but did not pursue the second stage. The Tribunal declines to make either an uplift or a deduction. The claimant's mental health deterioration made it reasonable not to pursue the second stage.
27. Final Award: The claimant is entitled to recover: £20,864.22 – discrimination claims (injury to feelings + interest) £8,427.60 – compensatory award for unfair dismissal and £7,372.50 – basic award

28. The recoupment provisions apply to this award.

Approved by:
Employment Judge Gumbiti-Zimuto

Date: 27 July 2026

Sent to the parties on: 31 July 2026.....

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For the Tribunals Office

Note

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/