



EMPLOYMENT TRIBUNALS

Claimant: Mr Joseph

Respondent: Wincanton Group Ltd

Heard at: London South (in person) **On:** 20-23 January 2026

Before: Employment Judge Hart, Mr Hutchings, Ms Beeston

Representation:

For the claimant: Ms Slater (lay representative)

For the respondent: Ms Mather (counsel)

JUDGMENT

The unanimous Judgment of the Tribunal is that:

The respondent is ORDERED to pay the Claimant **£55,325** as compensation for the unfair dismissal and proven act of race discrimination. This is made up of the following sums:

1. Basic award of **£2,100**.
2. Compensatory award (loss of earnings / pension contributions between 1 July 2024 to 31 December 2024 and loss of statutory rights) of **£24,727**.
3. Injury to feelings of **£9,000**.
4. ACAS uplift of 25% **£8,432**.
5. Interest of **£4,150**.
6. Grossing up to account for taxation of **£6,916**.

This judgment has been approved by:

Employment Judge **HART**

Date: 17 April 2026

JUDGMENT SENT TO PARTIES

22 April 2026

FOR THE TRIBUNAL OFFICE

P Wing

Note

Summary reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request for either summary reasons or full reasons 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 the claimant requests written summary reasons then the Tribunal may, if it considers it appropriate to do so, provide written full reasons.

Public access to employment tribunal decisions

Judgments and written full reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. 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:

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

APPENDIX**REMEDY CALCULATIONS (Calculated on 17 April 2026)**

Please note that the award for loss of earnings has been corrected from the amount announced orally at the hearing; this has also affected the calculation of ACAS uplift, interest and grossing up. The time period for loss of earnings from 7/5/24 to 31/12/24 remains unchanged.

<u>HEADS OF LOSS</u>	Sub-total	TOTAL	Notes
WRONGFUL DISMISSAL	£0	£0	1
BASIC AWARD			2
Basic award (1.5 weeks x 2 years x £700)	£2,100	£2,100	
COMPENSATORY AWARD			
Past loss of earnings between 7/5/24 - 30/6/24 (8 weeks x £668.64pw)	£5,349		3+4
Past loss of earnings between 1/7/24 - 31/12/24 (26 weeks x £697.06pw)	£18,124		5
Past loss of pension contribution between 7/5/24-31/12/24 (34 weeks x £22.20pw)	£755		
Loss of statutory rights	£500		
TOTAL		£24,727	
NON-FINANCIAL LOSSES			
Injury to Feeling	£9,000	£9,000	
ACAS UPLIFT			
On compensatory award (25% of £24,727)	£6,182		
On Injury to feeling (25% of £9000)	£2,250		
TOTAL		£8,432	
INTEREST			6
Interest on compensatory award from midpoint (709/2 x 0.08 x 1/365 x (£24,727 + £6,182))	£2,402		
Interest on injury to feeling (709 x 0.08 x 1/365 x (£9000 + £2250))	£1,748		
TOTAL		£4,150	
GROSSING UP		£6,916	
TOTAL AWARDED		£55,325	

NOTES

1) The parties agreed that notice pay was 2 weeks. No separate award is made to avoid double recovery since loss of earnings has been calculated from 7/5/24.

2) Basic pay calculated as: 1.5 weeks (60 yrs at EDT) x 2 (full years works) x gross weekly pay of £855.18pw (capped at £700)

3) Net pay calculated as £32769.07 / 52 = £668.64 pw

4) Weeks between 7/5/24 to 30/6/24 is 8 weeks; weeks between 1/7/24 to 31/12/24 is 26 weeks, giving a total of 34 weeks.

5) Net pay from 1/7/24 following pay rise of 4.25% = £668.64x0.0425 = £697.06.

6) Days between 7/5/24 and 16/4/26 = 709 days. Interest on compensatory award calculated from mid point and interest on injury to feeling calculated for whole of period.

GROSSING UP CALCULATIONS**Identifying amount to be grossed up:**

Total compensatory award + injury to feeling + ACAS uplift + interest	£46,309.18
Minus £30,000 tax free	£16,309.18

Applying tax rates:

	Taxable earnings			Taxable ET award			Notes
	gross	tax	net	gross	tax	net	
PA (0%) to £12,570	£12,570	£0	£12,570	£0	£0	£0	7
Basic rate (20%) on the next £37,700 (gross)	£25,830	£5,166	£20,664	£11,870	£2,374	£9,496	
Higher rate (40%) on the next £74,870 (gross)	£0	£0	£0	£11,355	£4,542	£6,813	
TOTALS	£38,400			£23,225	£6,916	£16,309	8

NOTES

7) The tax bands and rates for the year 2025/26 are: Personal Allowance £0-12,570 (0%); Basic Rate £12,570-£50,270 (20%); Higher Rate £50,271-125,140 (40%) and Additional Rate over £125,140 (45%)

8) From the Claimant's schedule of loss it is estimated that the claimant will earn £38,400 in the tax year 2026/7.