EMPLOYMENT TRIBUNALS

Claimant: Mr Biji Iype

Respondent: Primary Medical Solutions Limited

FINAL HEARING

Heard at: Birmingham (by video / CVP)

On: 21 to 22 October 2026

Before: Employment Judge Camp

Appearances
For the Claimant: Mr A Findley, counsel
For the Respondent: Mr C Mannan, counsel;
for judgment only – Mrs Kripa Krishna, acting manager.

JUDGMENT

1. The Claimant was unfairly dismissed.

2. The Claimant seeks compensation only.

3. There shall be a no reduction to any compensatory award pursuant to the so-called 'Polkey principle' (see **Polkey v AE Dayton Services Ltd** [1987] UKHL 8).

4. There shall be a no reduction to the basic award or to any compensatory award pursuant to sections 122(2) and 123(6) of the Employment Rights Act 1996.

5. The respondent unreasonably failed, in relation to the claimant's dismissal, to comply with a relevant Acas Code of Practice and the Tribunal considers it would be just and equitable in all the circumstances to increase any compensatory award by 20 percent, pursuant to section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992.

6. The respondent must pay the claimant a basic award of: £1232.23. (This and the amounts given below are based on a calculation of a week's pay made using the pay figures given in the claim form, which were agreed in the response form.)

7. The claimant is awarded, as part of his compensatory award, and the respondent must pay him, a sum of £410.74 for loss of statutory rights, equivalent to one

week's gross pay. This sum is uplifted by 20 percent in accordance with paragraph 5 above to give: £492.89

8. How much more, if anything, the claimant should be awarded as an unfair dismissal compensatory award will, if not agreed beforehand, be decided at a 3 hour remedy hearing, which will take place by video / CVP on a date to be notified to the parties.

9. The Claimant was wrongfully dismissed, i.e. was dismissed in breach of contract, and is awarded, as damages for breach of contract, a sum of £1642.98, equivalent to 4 weeks' gross pay.

10. The total amount payable by the Respondent to the Claimant at present is: **£3368.10**

11. Summary reasons for the above judgment were given orally at the hearing. Written reasons, which were not asked for at the hearing, will not be provided unless requested by any party by a written request received by the Tribunal within 14 days of the sending of this written record of the decision.

12. **ORDER:** The claimant and respondent must provide any dates of unavailability for the remedy hearing in the first half of 2027 **within 7 days of the date this is sent to them**.

Employment Judge Camp

Approved on 22 October 2026