Case Number: 1310811/2020



EMPLOYMENT TRIBUNALS

Claimant: Mr N T Devenport

Respondent: Prosaw Ltd

FINAL HEARING

Heard at: Birmingham **On:** 4 to 6 August 2021

Before: Employment Judge Camp Members: Mr J Wagstaffe

Mr P Talbot

Appearances

For the claimant: in person

For the respondent: Mr K Ali, counsel

JUDGMENT

- (1) The claimant was unfairly dismissed.
- (2) If the remedy is compensation only:
 - a. the compensatory award will be £nil, pursuant to the so-called 'Polkey principle' (see: Polkey v AE Dayton Services Ltd [1987] UKHL 8; paragraph 54 of Software 2000 Ltd v Andrews [2007] ICR 825);
 - b. there will be no basic award, because the reason for dismissal was redundancy and the claimant was paid a statutory redundancy payment.
- (3) The religion and belief discrimination claims fail.
- (4) In light of the above, and having had discussions with the respondent, the claimant does not wish the Tribunal to make an order for reinstatement or re-engagement.

Employment Judge Camp 6 August 2021

Note: Reasons for (1) to (3) above were given orally. Written reasons will not be provided unless asked for by a written request presented by any party within 14 days of the sending of the written record of the decision.