



# EMPLOYMENT TRIBUNALS

**Claimants:** Mr J Mildenhall  
**Respondent:** Micro Focus Ltd  
**Heard at:** Exeter, in person      **On:** 17, 18, 19 May 2023  
**Before:** Employment Judge Volkmer  
Ms Lloyd-Jennings  
Mr Ley

## Appearances

For the Claimants: Ms Hornblower (Counsel)  
For the Respondent: Mr Milsom (Counsel)

## JUDGMENT

1. The Claimant's claim for a redundancy payment is dismissed on withdrawal by the Claimant.
2. The Claim of unfair dismissal is well founded and is upheld. The Tribunal makes a compensatory award of £63,890.46 (gross).
3. The Claimant confirmed at the outset that he was bringing an individual claim as a sole claimant and was not acting in a representative capacity in relation to section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992.
4. The Respondent has failed to comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992. The claim for a protective award succeeds.
5. The Tribunal makes a protective award for a period of 90 days starting on 3 January 2022 in the sum of £53,742 (gross).

Employment Judge Volkmer

Date: 19 May 2023

Sent to the Parties on 05 June 2023

For the Tribunal Office

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request 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.