



EMPLOYMENT TRIBUNALS

Claimant: Mr Dobinson

Respondent: Mid-Herts Golf Club Limited

Heard at: Watford (by CVP)

On: 3 and 4 October 2024

Before: Employment Judge Murdoch

Representation

Claimant: Ms Lamb, lay representative

Respondent: Ms Hussein, in house legal representative

JUDGMENT

1. The complaint of constructive unfair dismissal under Part X Employment Rights Act 1996 is well-founded and succeeds.
2. In respect of the calculation of remedy for unfair dismissal:
 - a. It is possible that the claimant could have been fairly dismissed if the respondent had followed a fair procedure in dismissing him. I thereby reduce the compensatory award by 10%.
 - b. An uplift of 10% will be made under section 207A(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 to the compensatory award for unfair dismissal for the respondent's failure to follow the requirements of the ACAS Code of Practice on Disciplinary and Grievance Procedures in respect of the claimant's dismissal.
 - c. The claimant contributed by his conduct to his dismissal by failing to initiate a formal grievance in writing, and failing to allow the disciplinary procedure to run its course. I therefore make a reduction of 10% to the basic and compensatory award.

Employment Judge Murdoch

4 October 2024

JUDGMENT & REASONS SENT TO THE PARTIES ON

10 October 2024

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.

Public access to employment tribunal decisions

Judgments and 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.