



EMPLOYMENT TRIBUNALS

Claimant: Adam Hallsworth

Respondent: NAM Global Ltd

Heard at: Watford Employment Tribunal
On: 5 and 6 February 2024

Before: Employment Judge Partington

Representation

Claimant: In person

Respondent: John Fitzgerald, Director for Respondent

JUDGMENT

Unfair Dismissal

1. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
2. There is a 0% chance that the claimant would have been fairly dismissed in any event.
3. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to increase the compensatory award payable to the claimant by 25% in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
4. The claimant caused or contributed to the dismissal by blameworthy conduct and it is just and equitable to reduce the compensatory award payable to the claimant by 10%.
5. The respondent shall pay the claimant the following sums:
 - (a) A basic award of £12,000.
 - (b) A compensatory award of £10,044.

Note that these are the actual sums payable to the claimant after any deductions or uplifts have been applied.

Notice Pay

- 6. The complaint of breach of contract in relation to notice pay is well-founded.
- 7. The respondent shall pay the claimant £4,800 as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.

Wages

- 8. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 18 May 2022 to 1 July 2022.
- 9. The respondent shall pay the claimant £2,560, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.

Holiday Pay

- 10. The complaint in respect of holiday pay is well-founded. The respondent failed to pay the claimant in accordance with regulation 14(2) and/or 16(1) of the Working Time Regulations 1998.
- 11. The respondent shall pay the claimant £280. The claimant is responsible for paying any tax or National Insurance.

Employment Judge Partington

Date 6 February 2024

JUDGMENT SENT TO THE PARTIES ON
21 February 2024

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FOR THE TRIBUNAL OFFICE

Notes

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.

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

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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/>