



EMPLOYMENT TRIBUNALS

Claimant: Mr M Silcock

Respondent: Oxalis Logistics UK Limited

Heard at: Southampton Employment Tribunal
On: 9th, 10th and 11th September 2024

Before: Employment Judge Lang sitting with
Tribunal Member Goddard

Representation
Claimant: Mr Silock, in person
Respondent: Ms Gooblar, counsel

JUDGMENT

1. The Tribunal's Judgment is that the Claimant was discriminated against due to something arising from his disability and therefore his claim for discrimination arising from disability, pursuant to section 15 Equality Act 2010, is well founded and succeeds.
2. The Tribunal's Judgment is that the Claimant was unfairly dismissed and therefore his claim pursuant to section 98 Employment Rights Act 1996 succeeds. However, the Tribunal's Judgment is that had a fair process been followed he would likely have been dismissed within 3 months of his date of termination.
3. The Claimant's claim for discrimination for failure to make reasonable adjustments pursuant to section 21 Equality Act 2010 is not well founded and is dismissed.
4. By consent the tribunal was able to deal with remedy at this hearing and the Claimant is awarded the total amount of **£22,641.72** which is comprised of the following:
 - a. Basic Award for unfair dismissal: £14,846.00
 - b. Compensatory award for unfair dismissal: £0.00. The tribunal considering that the Claimant would have been dismissed within 3 months of his effective date of termination, and during that time he would have been on sick leave, which he had encashed his

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entitlement to and not contributing to his pension. Therefore, the tribunal's judgement was the loss was £0.00.

- c. Injury to feelings award: £7,000. The Tribunal's judgment being that the award fell in the lower band of Vento.
- d. Loss of statutory rights: £500.00.
- e. Interest, that being 771 days from the date of the act to the date of the hearing at 2% namel: £295.72

Employment Judge Lang

Date 12th September 2024

JUDGMENT SENT TO THE PARTIES ON
1st October 2024

Jade Lobb
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 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/>