



EMPLOYMENT TRIBUNALS

Claimant

Mr Mark Fordham

v

Respondent

Royal Mail Group Limited

Heard at: Cambridge

On: 23 February 2023

Before: Employment Judge Tynan

Appearances

For the Claimant: Ms A Rumble, Counsel

For the Respondent: Ms L Stephenson, Solicitor

JUDGMENT

1. The Claimant's complaint that he was discriminated against because of the protected characteristic of disability is dismissed on the grounds that it is withdrawn by him.
2. The Claimant's complaint that he was unfairly dismissed, contrary to Section 98 of the Employment Rights Act 1996, succeeds.
3. Pursuant to s.122(2) of the Employment Rights Act 1996, the amount of the basic award payable to the Claimant in respect of his unfair dismissal shall be reduced by 50% to reflect the conduct of the Claimant before his dismissal.
4. The amount of the compensatory award payable to the Claimant shall be reduced by 60% in total, to reflect both the chance that had he not been treated unfairly by the Respondent the Claimant might still have been dismissed from its employment and, pursuant to s.123(6) of the Employment Rights Act 1996, to reflect its findings that the Claimant's actions contributed to his dismissal.

Employment Judge Tynan

Date: 27/3/2023

Sent to the parties on: 16/3/2023

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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.