



EMPLOYMENT TRIBUNALS

Claimant: Mr Y Getcheffsky

Respondent: Derbyshire Federation for Mental Health

Heard at: Manchester (by CVP)

On: 22 December 2023 and 29
January 2024

Before: Employment Judge Leach

REPRESENTATION:

Claimant: Mr Jenson (claimant's partner)

Respondent: Mr Mahmood (Consultant)

JUDGMENT

1. The claimant succeeds in his complaint of unfair dismissal.
2. The claimant unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures (2015) by failing to appeal his dismissal. Under section 207A(3) Trade Union and Labour Relations (Consolidation) Act 1992, a reduction to an award of 20% shall be applied. Applying section 124A Employment Rights Act 1996, this reduction applies to the compensatory award only.
3. This case is listed for a remedy hearing on 11 March 2024.

Employment Judge **Leach**

Date 29 January 2024

Case No: 2407780/23

JUDGMENT SENT TO THE PARTIES ON
5 February 2024

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.