



# EMPLOYMENT TRIBUNALS

**Claimant:** Muhammad Ghaffar

**Respondent:** Beauty Spot (Notts) Ltd (first Respondent)  
Mr Rashid Majid (second Respondent)

**Heard at:** Nottingham Tribunal  
**On:** 22 23 25 and 26 January 2024 & 23 February 2024

**Before:** Employment Judge N Wilson  
Mr J Akhtar  
Mr D Green

## Appearances

For the claimant: Mr A Pickett (counsel)  
For both respondents: Mr R Majid

## JUDGMENT

1. The unanimous decision of the Tribunal is that:
  - a. The claimant was unfairly dismissed by the first and second respondents for reasons arising from his disability (section 15 of the Equality Act 2010 - 'EqA').
  - b. The first and second respondents subjected the claimant to discrimination arising from disability by dismissing him (section 15 EqA 2010).
  - c. The first and second respondents subjected the claimant to indirect discrimination (section 19 EqA 2010).
  - d. The first and second respondents failed to comply with their duty to make reasonable adjustments (sections 20 and 21 of the EQA 2010)
  - e. The first respondent made an unlawful deduction from wages (failure to pay statutory sick pay/holiday pay) (section 23 Employment Rights Act 1996- 'ERA').
  - f. The claim for failure to provide itemised pay statements is dismissed upon withdrawal.

- g. The first respondent failed to provide written statement of employment particulars (Section 38 Employment Act 2002).
- h. The first respondent failed to provide written reasons for dismissal (section 92 ERA 1996)

2. The parties have, without prejudice to any appeal or reconsideration application, agreed remedy in light of paragraph 1 above and therefore by consent:

2.1.1 The second respondent is to pay the claimant the sum of **£45,193.75** as follows:

- The sum of £10,000 is to be paid to the claimant on 1 April 2024 followed by 6 monthly payments to be made on the 1<sup>st</sup> day of each month from 1 May 2024 to 1 October 2024 of £5000 per month.
- The second respondent is to make a final payment of £5193.75 to the claimant on 1 November 2024.

3. The first respondent is to pay to the claimant the sum of **£11,551.21**.

4. The total award to be paid to the claimant as agreed between the parties is therefore **£56,744.96** which is broken down as follows:

4.1.1	basic award	£5985
	loss of statutory rights	£350
	loss of earnings	£14820
	injury to feelings	£15000
	25% ACAS uplift	£9038.75
	Total against second respondent	<b>£45,193.75</b>
4.1.2	holiday pay	£5043.36
	SSP	£1092.85
	notice pay	£4275.00
	failure to provide written reasons for dismissal	£570
	failure to provide written employment particulars	£570
	Total against first respondent	<b>£11,551.21</b>

**This decision was explained to the parties orally at the hearing.**

### Useful information

1. All judgments and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

2. You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here: <https://www.gov.uk/appeal-employment-appeal-tribunal>

Employment Judge N Wilson  
Dated: 23 February 2024

Sent to the parties on:

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For the Tribunal Office:

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