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Walton Golf Club’s dismissal of one-in-hole unfair

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A greenkeeper who had worked at a Surrey golf course for almost 40 years has won a case for “unreasonable” dismissal after he was sacked when his digger fell into a hole. An employment tribunal found the disciplinary action taken against the 58-year-old had “snowballed” before alternative options were considered.

Michael Hayne’s digger had to be hauled from a ditch at Walton Heath Golf Club, in Tadworth, after the machine had tumbled into a hole, cab-side down while the driver was not warring a seatbelt. The deputy course manager initially dismissed the accident as minor because no harm was done, and so did not formally report it in an accident log book.

But his bosses at the golf club viewed it as a significant incident and Mr Haynes was later dismissed for gross misconduct. The managers argued it was a “serious breach” of health and safety rules that the accident was not reported, and could cause more incidents.

Mr Haynes argued that he was sure he told Mr Mann about the accident at the time and considered he did not need to write up the event in the health and safety book.

The report, published December 23, 2024, detailed that the golf course had two diggers weighing 7.5 tons and 2.5 tons. Mr Haynes had been externally trained on how to use the diggers since around 2005, and his certification was updated every five years- although his current renewal had been overdue.

During a staff training session in November 2021, the instructor reportedly told course manager at the time, Michael Mann, that Mr Haynes was “very lucky with his accident that he hadn’t been seriously hurt or worse”. But Mr Mann said he did not know about the digger incident.

After some initial investigation, the Surrey club launched a disciplinary hearing against Mr Haynes, accusing him of “gross misconduct” for failing to comply with health and safety standards.

In a letter before the disciplinary hearing in November 2021, Mr Haynes wrote: “I have been a faithful employee of this Club for nearly 40 years. I love this Club and have spent my life in its service. I have a clean disciplinary record.

“If I were to be dismissed, not only would I lose my livelihood but also my wife and I would lose our home. I can assure this meeting that I have learned a lesson and will never fail to report any incident again. I would welcome any additional training that is felt necessary.”

Mr Haynes was dismissed without notice, and escorted off the site. The Chief Executive, Mr Woodward, had decided his explanation was “unacceptable” and the “trust and confidence placed” in him had been “completely undermined”. He added further dangerous incidents could have been avoided if Mr Haynes had reported the initial accident.

In desperation, Mr Haynes appealed the dismissal twice and provided photographic and video evidence of incidents not reported by other members of staff. However, this appeal was rejected both times.

However, the employment tribunal has now found Mr Haynes’ dismissal was “procedurally unfair”. It said there was no real evidence that any of the decision-makers weighed up the possibility of an alternative sanction for the Claimant.

The report stated there were “flaws” with the golf club’s investigation process such as “exaggerating and maximising the seriousness of the incident”. For instance, inconsistencies in describing the final position of the digger as “tipping over” and “almost horizontal”.

The tribunal still found Mr Haynes “culpable” for failing to report the digger incident in the accident book as he was involved. Employment Judge Leith said: “His failure to [report it] was rendered considerably starker because of his [senior] role […] he should have known better.”

Concluding the case, the tribunal ruled that Mr Haynes’ compensation will be reduced by 50 per cent because of his failure to log the accident. The report did not disclose the amount.

Walton Heath Golf Club has been contacted for comment.

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