



EMPLOYMENT TRIBUNALS

Claimant: Miss N L Bates

Respondent: Done Brothers(Cash Betting) Limited t/a Betfred Retail

HELD AT: Liverpool

ON: 7, 8 and 9 December 2016

BEFORE: Employment Judge Batten
Mr M Gelling
Mr J Murdie

REPRESENTATION:

Claimant: Mr J Jenkins, Counsel

Respondent: Mr S Jagpal, Consultant

JUDGMENT ON LIABILITY

The unanimous judgment of the Tribunal is that:

1. The claimant was unfairly dismissed;
2. The claimant's claims of unlawful pregnancy discrimination and victimisation succeed; and
3. The claimant's claims of notice pay and holiday pay are dismissed on withdrawal by the claimant following a settlement between the parties of those particular claims prior to Judgment.

JUDGMENT ON REMEDY

The parties asked the Tribunal to decide on two matters in relation to remedy, namely an appropriate uplift for any failure to follow the ACAS Code of Practice and the level of award for injury to feelings. Following further submissions from both parties, the unanimous decision of the Tribunal is that:

4. There shall be an uplift of 18% on any applicable award; and



5. An award for injury to feelings of the discrimination claims shall be £6,600 together with applicable interest.
6. The parties having thereafter agreed terms of settlement, the remedy hearing is adjourned for a period of 35 days to allow implementation of the terms of settlement. If neither party shall apply on or before Friday 13 January 2017 for the case to be restored to the list for remedy Hearing, the case shall be treated as withdrawn by the claimant upon settlement and shall stand dismissed on that basis without further order, the claimant's consent having been given to the Tribunal.

Employment Judge Batten
24 February 2017

JUDGMENT SENT TO THE PARTIES ON
2 March 2017

FOR THE TRIBUNAL OFFICE

NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number(s): 2401066/2016

Name of Miss NL Bates v Done Brothers (Cash
case(s): Betting) Ltd t/a Betfred
Retail

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 2 March 2017

"the calculation day" is: **3 March 2017**

"the stipulated rate of interest" is: 8%

MISS K MCDONAGH
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.justice.gov.uk/tribunals/employment/claims/booklets

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.