



EMPLOYMENT TRIBUNALS

Claimant: Mrs R Altoft

Respondent: Ministry of Justice HMCTS

JUDGMENT

**issued pursuant to Rule 21 of The Employment Tribunals
(Constitution and Rules of Procedure) Regulations 2013**

A) THE TIME for presenting a response having expired and no, or no valid, response having been presented and on the available material before the Employment Judge it is adjudged that :-

1. In accordance with the provisions of Section 135 of the Employment Rights Act 1996 it is declared that the claimant was dismissed by reason of redundancy and so is entitled to a redundancy payment in the sum of **£6,300** calculated in accordance with the provisions of Section 162 of the Act)
2. The complaint of unfair dismissal pursuant to Section 111 of the Employment right s act is declared to be well founded.
3. In accordance with the provisions of the Employment Tribunals Extension of Jurisdiction (England & Wales) Order 1994 the complaint for the recovery of damages for breach of contract succeeds and the Respondent is ordered to pay to the claimant forthwith damages in the sum of **£19,100**, comprising of **£2,400** in respect of notice pay and **£16,700** for the Claimant's entitlement under the Civil Service Compensation Scheme, see separate schedule.
4. In accordance with the provisions of Regulations 13, 14 and 30 of the Working Time Regulations 1998 the complaint in respect of the claimant's entitlement to payment for leave taken or in lieu of accrued but untaken leave succeeds and the Respondent is ordered to pay to the Claimant forthwith the sum of **£210,25**.
5. Pursuant to Rule 76(4) a Costs Order is made. The Respondent will reimburse to the Claimant the issue fee of **£250** incurred by the Claimant in respect of this claim
6. The hearing listed for 1 **August 2017** is vacated.

SCHEDULE

(i)	Redundancy payment for 21 years service @ £210 per week, The Claimant being 63 years of age at the effective dates of termination, £210 x 20 x 1.5 =	£ 6,300.00
(ii)	Civil Service compensation scheme relating to enhanced Redundancy payment	£23,000.00
		Less <u>£ 6,300.00</u>
		<u>£16,700.00</u>
(iii)	Notice pay £200 x 12 =	£ 2,400.00
(iv)	Holiday pay for 4 weeks holiday	£ 210.25

REASONS

The Tribunal has not awarded any compensation for unfair dismissal because the Claimant has received the equivalent of a basic award under compensation order relating to her entitlement to a redundancy payment. No award is made for loss of statutory rights as the Claimant would have lost these in any event had she been made redundant. In respect of the enhanced redundancy payment, credit has been given for the statutory redundancy award.

Employment Judge **Jones**
Date: 20 June 2017