



EMPLOYMENT TRIBUNALS

Claimant: Miss S Rahman

Respondent: St Georges University Hospitals NHS Foundation Trust

JUDGMENT

By consent further judgment as to remedy is entered as follows:

1. Further to the Tribunal's Reserved Judgment on Remedy dated 30 May 2017 (the "Reserved Judgment"), in compensation for the remainder of the compensatory award, the Respondent shall pay £25,509.56 ("the Remainder Payment") to the Claimant.
2. The Remainder Payment is inclusive of the 10% increase pursuant to paragraph 36 of the Reserved Judgment, to be paid subject to prior deductions for tax as required by law.

Background

3. The Claimant issued proceedings against the Respondent in the London South Employment Tribunal under case number 2301307/2016 ("the Claim").
4. The Employment Tribunal determined that the Claimant was unfairly dismissed and that the Respondent breached the Claimant's contract of employment by failing to give notice or making a payment in lieu.
5. A Remedy Hearing took place on 18 May 2017. The Tribunal's Reserved Judgment on Remedy dated 30 May 2017 set out the agreed and quantified sums which comprised of the following elements:
 - a. £10,687.50 in respect of the Claimant's entitlement to a basic award;
 - b. £350 in respect of loss of statutory rights;
 - c. £7,412.35 in respect of damages for breach of contract; and
 - d. £1,200 in respect of re-imbursment of Tribunal fees
6. The elements of the Remedy identified at 5 b. and 5 c. were subject to a 10% increase by reason of the Respondent's unreasonable failure to follow the ACAS Code of Practice.

7. The Proceedings were stayed for a period of 6 weeks so that the parties could calculate and agree the sum of the Remainder.
8. The Respondent paid the Claimant the sum of £20,426.09 (“the Reserved Remedy Payment”) in full and final settlement of the agreed and quantified sums in June 2017.
9. The Reserved Remedy Payment and the Remainder Remedy Payment (“the Remedy”) comprise the total sums payable to the Claimant.
10. The parties consider that the provisions of section 403 of the Income Tax (Earnings and Pensions) Act 2003 apply to the elements of the Remedy identified at paragraphs 2 and 5 a.-c. “the Taxable Payments”.
11. The first £30,000 of the Taxable Payments will be paid without prior deductions for tax. The balance of the Taxable Payments is subject to prior deductions for tax as required by law.

Employment Judge Pritchard

Date: 25 October 2017