



EMPLOYMENT TRIBUNALS

Claimant: Mrs J Farren

Respondent: United Lincolnshire Hospitals NHS Foundation Trust

Heard at: Nottingham

On: Wednesday 2nd August 2017

Before: Employment Judge Faulkner (sitting alone)

REMEDY JUDGMENT

1. The Claimant is awarded the sum of **£27,722.48** by way of compensation for unfair dismissal, comprised of the following: -

1.1. **£10,440.00** by way of a basic award, being £13,920.00 reduced by 25% in accordance with section 122(2) Employment Rights Act 1996 on account of the Claimant's conduct before the dismissal;

1.2. **£17,282.48** by way of a compensatory award, calculated as follows:

- a. Net loss from the date of dismissal to the date of this hearing, plus an award in respect of loss of statutory rights, totalling £32,919.00;
- b. Reduced by 50% on account of the principle in **Polkey v AE Dayton Services [1987] IRLR 503** and, in accordance with section 123(6) of the Employment Rights Act 1996, on account of the contribution of the Claimant's actions to her dismissal, leaving a net figure of £16,459.50;
- c. Increased by 5% pursuant to section 207A Trade Union and Labour Relations (Consolidation) Act 1992 on account of the Respondent's failure to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures, leaving a net figure of £17,282.48

2. It is also noted, as requested by the parties in the light of the decision in **R (on the application of UNISON) v Lord Chancellor [2017] UKSC 51**, that in the Remedy Judgment dated 5 April 2016 the Respondent was ordered to pay the Claimant the sum of £1,200 in respect of the Tribunal fees paid in relation to this claim. That order has not been complied with.

Employment Judge Faulkner

Date 3 August 2017

JUDGMENT SENT TO THE PARTIES ON

19.8.17

.S.Cresswell.....
FOR THE TRIBUNAL OFFICE