



EMPLOYMENT TRIBUNALS

Claimant: Ms J Wilks
Respondent: Nottingham University Hospitals NHS Trust
Heard at: Nottingham
On: 23, 24 and 25 October 2018
Before: Employment Judge Legard
Members: Mrs C Brown
Mr C Tansley

Representation

Claimant: Mr Townend, Lay representative
Respondent: Mr Cooksey of Counsel

JUDGMENT

1. The complaint of harassment related to race is well founded and succeeds.
2. The complaint of direct race discrimination is not well founded and is dismissed.
3. The complaint of constructive unfair dismissal is well founded and succeeds.
4. The Claimant is awarded the sum of £9,893.76¹ made up as follows:

Basic award	£5,153.76
Injury to feelings (including interest)	£3,500.00
Loss of statutory industrial rights	£450.00
TOTAL	£9,103.76
Plus 20% uplift on	£790

¹ In the Judgment given orally, a 20% ACAS 'uplift' was mistakenly applied to the Basic Award. A Claimant is not entitled to such an uplift in respect of a basic award – see s.124A ERA, as amended by s.3(4) EA 2008. The Judgment sum has been amended accordingly.

account of unreasonable
failure to comply with
ACAS Code of Practice
GRAND TOTAL

£9,893.76

:

Employment Judge Legard

Date 3rd December 2018

JUDGMENT SENT TO THE PARTIES ON

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.