



EMPLOYMENT TRIBUNALS

Claimant: Ms S Olukoya
Respondent: London Borough of Tower Hamlets
Heard at: East London Employment Tribunal
On: 22 January 2019
Before: Employment Judge M Warren
Members: Mrs P Alford
Ms M Long

Representation

Claimant: Miss N Mallik, counsel
Respondent: Mr C Adjei, counsel

JUDGMENT ON RECONSIDERATION

1. By consent:

- 1.1. The Tribunal reconsiders its Judgement as to Remedy given to the parties on 8 June 2018, signed by me on 18 July 2018.
- 1.2. The tribunal varies its Judgment and substitutes the Judgment sum of £423,218.87 as set out in the calculations below.

1. Details

Date of birth of claimant	15/06/1953
Date started employment	27/02/1989
Effective Date of Termination	26/08/2016
Period of continuous service (years)	27
Age at Effective Date of Termination	63
Remedy hearing date	08/06/2018
Date by which employer should no longer be liable	15/06/2020

Statutory notice period (weeks)	12
Net weekly pay at EDT	519.93
Gross weekly pay at EDT	594.05
Gross annual pay at EDT	30,891.00

2. Basic award

Basic award	14,370.00
Number of qualifying weeks (30) x Gross weekly pay (479.00)	

Total basic award	14,370.00
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3. Compensatory award (immediate loss)

Loss of net earnings	48,353.49
Number of weeks (93) x Net weekly pay (519.93)	
Plus loss of statutory rights	450.00
Plus loss of pension	0.00
Pension loss	0.00
Loss of occupational pension	0.00

Total compensation (immediate loss)	48,803.49
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4. Compensatory award (future loss)

Loss of future earnings	54,800.62
Number of weeks (105.4) x Net Weekly pay (519.93)	
Plus loss of pension	104,865.00

Total compensation (future loss)	159,665.62
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5. Adjustments to total compensatory award

Plus failure by employer to follow statutory procedures @ 1%	2,084.69
Accelerated payment @ -0.75%	1,209.47
Plus interest (compensation award) @ 8% for 355 days	3,851.88

Compensatory award before adjustments	208,469.11
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Total adjustments to the compensatory award	7,146.04
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Compensatory award after adjustments	215,615.15
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6. Non financial losses

Injury to feelings	24,000.00
Plus interest @ 8% for 709 days	3,729.53

Physical and psychiatric injury	21,000.00
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Plus interest @ 8% for 355 days	1,631.67
Plus mark-up of 1% for Respondent's failure to follow ACAS grievance procedure	450.00

Total non-financial award **50,811.20**

7. Summary totals

Basic award	14,370.00
Compensation award including statutory rights	215,615.15
Non-financial loss	50,811.20

Total **280,796.35**

8. Grossing up

Tax free allowance (£30,000 - any redundancy pay)	30,000.00
Basic + additional awards	14,370.00
Balance of tax free allowance	15,630.00
Compensatory award + wrongful dismissal	215,615.15
Other salary (net)	6,636.82
Figure to be grossed up	199,985.15
Personal allowance	11,850.00
Grossed up figures according to tax band	
personal allowance - 0%	11,850.00
less adjustment for tapering personal allowance	-11,850.00
basic rate - 20%	34,500.00
higher rate - 40%	115,500.00
additional rate - 45%	199,494.49

GROSSED UP TOTAL **423,218.87**

Employment Judge M Warren

Date: 23 January 2019