



EMPLOYMENT TRIBUNALS

Claimant: Mr K Finch

Respondent: Bellway Homes Limited

Heard at: Leeds

On: 25 May 2018

Before: Employment Judge D N Jones

REPRESENTATION:

Claimant: In person

Respondent: Mr M Dulovic, Employed Barrister

JUDGMENT ON REMEDY

1. The respondent shall pay compensation to the claimant, for the unfair dismissal, of £6,520.06, comprising a basic award of £3,423.00 and a compensatory award of £3,097.06.
2. The recoupment provisions do not apply.
3. The compensatory award includes an increase of 10% as a consequence of the respondent's unreasonable failure to comply with the ACAS Code of Practice.

SCHEDULE

Compensation for Unfair Dismissal

Basic Award

Seven years' continuous employment

Age of claimant at effective date of termination = 41 years

7 x £489 (statutory maximum) =

£3,423.00

Compensatory Award

Loss of earnings

From 12 September 2017 (effective date of termination) to
6 November 2017 when claimant obtained alternative
employment which extinguished the losses

£66.53 x 7.4 (being seven weeks and two days) £4,932.32

Net weekly car allowance

£58.55 x 7.4 = £433.31

£5,365.63

Loss of statutory rights

£500.00

£5,865.63

Deductions and increases

Less *Polkey* 40%

£2,346.25

Subtotal

£3,519.38

Plus 10% breach of Code of Practice

£351.94

Subtotal

£3,871.32

Less 20% contributory conduct

£773.26

Total

£3,097.06

Employment Judge D N Jones

Date 4 June 2018

Note

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.