



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms H Olaiya

**Respondent:** Sunrise Mental Health Limited

**Heard at:** London South (Croydon) **On:** 20 February 2019

**Before:** Employment Judge John Crosfill  
Mr N Shanks  
Mrs A J Sadler

## Representation

Claimant: In person

Respondent: Mrs Tanya Nguyen

# JUDGMENT

1. The Claimant's claim that she was discriminated against contrary to Section 18 and 39 of the Equality Act 2010 succeeds.
2. The Claimant's claim that she was discriminated against contrary to Section 13 and 39 of the Equality Act 2010 succeeds but no separate award of compensation is made as it arises out of the same facts as the claim under Section 18.
3. The Claimant's claim for unlawful deductions of wages (Statutory Maternity Pay) is not well founded and is dismissed.
4. The Claimant's claim for unfair dismissal contrary to Part X of the Employment Rights Act 1996 is not well founded and is dismissed. The Claimant was not dismissed by the Respondent.
5. By consent the Respondent is ordered to pay the Claimant the sum of **£2520** representing the loss of wages suffered by the Claimant between 30 April 2018 and 17 July 2018; and
6. The Respondent is ordered to pay the Claimant the sum of **£2,500** injury to feelings.
7. The Claimant is awarded interest at a rate of 8% from 8 June 2018 (the midpoint between 30 April and 17 July) to 20 February 2018 on the sum of

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$\pounds 2,520.00 = 0.08 \times 259(\text{days})/365 \times \pounds 2,520 = \pounds 143.05$  and the Respondent is ordered to pay that sum

8. The Claimant is awarded interest at a rate of 8% from 30 April 2018 to 20 February 2019 on the sum of  $\pounds 2,500.00 = 0.08 \times 297(\text{days})/365 \times \pounds 2,500 = \pounds 162.74$  and the Respondent is ordered to pay that sum.
9. The recoupment regulations do not apply to the said awards.

Employment Judge John Crosfill  
Date 21 February 2019

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.