



EMPLOYMENT TRIBUNALS

Claimant

Miss S Moore

v

Respondent

Earls Barton Medical Centre

Heard at: Bury St Edmunds

On: 20 June 2019

Before: Employment Judge Laidler

Appearances

For the Claimant: In person.

For the Respondent: Miss L Spicer, Practice Manager.

JUDGMENT

1. The respondent has not satisfied the tribunal as to the reason for dismissal and that it was a potentially fair reason falling within s.98 of the Employment Rights Act 1996.
2. The respondent acted unfairly in treating the reason as one to justify the dismissal of the claimant.
3. The respondent failed to provide the claimant with a written statement of terms and conditions of employment and an award of 4 weeks' pay at £200 per week is made, £800.
4. The total award to which the claimant is entitled is £ calculated as set out below. The judge has reconsidered the calculation made at the hearing of her own volition pursuant to Rule 73 of the Employment Tribunal Rules 2013 on the grounds that:
 - a. The basic award was not added into the total
 - b. The award at paragraph 3 above was not added into the total
 - c. In calculating the compensatory award the tribunal was wrong to make a deduction in respect of the first period of loss. The claimant was dismissed without notice and her period of recovery therefore commences at the end of that notice period as in her schedule of loss. What has not been awarded, as stated at the hearing is a further payment for the initial month after dismissal in addition to pay in lieu.

COMPENSATION

Basic award
4 weeks @ £200 per week

£2600

6 weeks x 1.5 @ £200 per week
Compensatory award

Effective date of termination 29 January 2018
New employment from 26 February 2018 but
At 11 hours a week compared to 24 with the Respondent
Rising to 16.5 hours after 2 months

Pay in lieu of notice -	£805.93
Differential in pay for 2 months @ £250.94 per month	£501.88
6 months differential in pay @ £178.48	£1070.88
Loss of statutory rights	<u>£450.00</u>

Compensatory award **£2828.69**

Uplift for failure to comply with the ACAS code
50% £1414.34

Total compensatory award **£4243.03**

+ Basic award £2600.00
+ failure to provide a written statement £800.00

Total award **£6843.03**

Employment Judge Laidler
1 July 2019
Date:
24 July 2019
Sent to the parties on:
.....
For the Tribunal Office

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.