



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4123798/2018**

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**Held in Edinburgh on 3 December 2019**

**Employment Judge: R McPherson  
Members – I Drysdale  
S Cardownie**

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**Karen Nichol  
66 Belvedere Road  
Bathgate  
EH48 4AY**

**Claimant  
In Person**

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**Bramble Cottage Constructive Play  
Centre and Eatery Ltd  
14c Blackburn Road  
Bathgate  
West Lothian  
EH48 2EY**

**Respondent  
Not present and  
Not represented**

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**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

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The unanimous judgment of the Employment Tribunal is that;

1. the claimant's claim for age discrimination in terms of s13 of the Equality Act 2010 succeeds; and
2. the claimant awarded the sum of **Two Hundred and Thirty Four Pounds and Ninety Pence (£234.90)** in relation to Notice Pay; and
3. the claimant is awarded the sum of **Eight Thousand Three Hundred and Ninety Four Pounds and Thirty Six Pence (£8,394.36)** as compensation in relation to loss of earnings in terms of s124(6) of the Equality Act 2010; and
4. the claimant is awarded the sum of **Two Thousand Pounds (£2,000)** in relation to Injury to Feelings in terms of s119(4) of the Equality Act 2010; and

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**E.T. Z4 (WR)**

5. the claimant's claim in respect of failure to provide written statement of employment particulars succeeds, and the claimant is awarded the sum of **Two Hundred and Sixty Two Pounds (£262.00)** in terms of s38 of the Employment Act 2002; and
- 5 6. the Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 do not apply.

### REASONS

Oral reasons were given at the hearing.

- 10 **Date of Judgement: 3<sup>rd</sup> December 2019**  
**Employment Judge: R McPherson**  
**Date Entered in Register: 9<sup>th</sup> December 2019**  
**And Copied to Parties**