



EMPLOYMENT TRIBUNALS

Claimant: Mrs F Dadhiwala

Respondents: (1) Mrs Nadia Aziz
(2) Soothill Pre-School Limited

Heard at: Leeds (by telephone)
Before: Employment Judge Deeley
On: 21 May 2020

Representation
Claimant: In person
Respondents: Did not attend

JUDGMENT

1. The claimant's claims for direct race discrimination and for harassment related to race succeeds and she is awarded £2,689.04 against Soothill Pre-School Limited under the Equality Act 2010.
2. The claimant's claims for direct race discrimination and harassment related to race against Mrs Nadia Aziz fail and are dismissed.
3. The claimant's claim for direct pregnancy discrimination under the Equality Act 2010 against both respondents fails and is dismissed.
4. The claimant's claim for detriment related to the claimant's request for leave for time off for dependants under s47C of the Employment Rights Act 1996 against Soothill Pre-School Limited fails and is dismissed.
5. The claimant is awarded an additional £295.56 in respect of Soothill Pre-School Limited's failure to provide her with a statement of employment particulars under s38 of the Employment Act 2002.

REASONS

Hearing arrangements

6. The claimant attended the hearing today. She did not object to holding this hearing as a remote hearing. The form of remote hearing was "A: audio - fully (all remote)".

Background

7. The claimant submitted a claim on 6 October 2019, which was considered by the Tribunal during preliminary hearings on 3 December 2019 (the "**December Hearing**") and on 7 April 2020 (the "**April Hearing**"). Employment Judge Knowles identified the following two sets of claims during the December Hearing:
 - 7.1. **Pay Claims:** statutory redundancy pays, notice pay, holiday pay and unauthorised deductions from wages; and
 - 7.2. **Discrimination/Detriment Claims:** direct race discrimination and/or harassment, direct pregnancy discrimination and detriment related to the claimant's request for leave for family reasons.
8. Judge Knowles also noted that the claimant had a claim for failure to provide written particulars of employment.
9. Judge Knowles decided at the December Hearing that the correct respondents to the claim were:
 - 9.1. Mrs Nadia Aziz (a director of Soothill); and
 - 9.2. Soothill Pre-School Limited.
10. Neither respondent provided a response in the appropriate form to the claims, although Ms Aziz did write to the Tribunal by letter dated 13 December 2019. Neither respondent attended the December or April Hearings.
11. Employment Judge Little determined that the claimant was employed by Soothill at the April Hearing. Judge Little issued an interim judgment against Soothill pursuant to Rule 21 of the Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013 (the "**ET Rules**") in relation to the Pay Claims only dated 7 April 2020.
12. A public preliminary hearing was held on 21 May 2020 under Rule 21 of the ET Rules to consider the claimant's remaining complaints (i.e. the Discrimination/Detriment Claims and the claim for failure to provide written particulars of employment).

13. The issues for the Tribunal to consider are set out below.

Claims and Issues

Discrimination/Detriment claims – Equality Act 2010 (“EQA”)

14. The claimant claims that the following conduct took place:

14.1. her request in July 2019 to change her shifts to the morning shifts (which would have helped her to manage her health during her pregnancy) was denied;

14.2. she was the only employee who was not paid their wages or statutory redundancy pay on termination of employment after she was made redundant on 20 September 2019; and

14.3. she suffered harassment on or around 18 September 2019 when Miss Nyla Aziz (Ms Nadia Aziz’s daughter, who was employed by Soothill) called her a ‘racist Indian’.

15. The claimant claims that:

15.1. her treatment related to:

15.1.1. complaints (a), (b) and (c) – her race (ethnic origins). The claimant describes herself as ‘British/Indian’;

15.1.2. complaints (a) and (b) only – her pregnancy and/or because she requested leave for family reasons.

16. The issues for the Tribunal to determine are:

16.1. On the balance of probabilities, did the claimant suffer the acts alleged at complaints 10.1-10.3 above?

Complaints (a), (b) and (c) - Direct race discrimination (s13 EQA)

16.2. Did either or both of the respondents treat the claimant less favourably than the respondents treat or would treat others?

16.3. If so, was this because of her race?

16.4. The claimant identified two actual comparators for this part of her claim (i.e. a British/Pakistani employee and a British/English employee of Soothill).

Complaint (c) - Harassment (race) (s26 EQ)

16.5. In the alternative:

16.5.1. Did Soothill engage in unwanted conduct related to the claimant's race? In particular, were the actions of Nyla Aziz in the course of her employment with Soothill?

16.5.2. If so, did such conduct have the purpose or effect of –

16.5.2.1. violating the claimant's dignity; or

16.5.2.2. creating an intimidating, hostile, degrading, humiliating or offensive environment for the claimant;

taking into account the claimant's perception, the other circumstances of the case and whether it was reasonable for the conduct to have that effect?

16.5.3. If so, was that conduct related to the claimant's race?

Complaints (a) and (b) - Direct pregnancy discrimination (s18 EQA)

16.6. Did either or both of the respondents treat the claimant unfavourably?

16.7. If so, was this because of her pregnancy?

Complaints (a) and (b) – Leave for family reasons (s47C Employment Rights Act 1996 (the “ERA”))

16.8. Did the claimant's son's school event constitute time off for dependants under s57A of the ERA?

16.9. If so, was the claimant subjected to a detriment because of any need to take time off for dependants under s47C of the ERA?

Failure to provide written statement of particulars

17. The claimant also complains that she was not provided with a written statement of employment particulars under s38 of the Employment Act 2002.

Evidence considered

18. This hearing took place under Rule 21 of the Tribunal's Rules, under which the respondents are not permitted to provide evidence on liability. The respondents were permitted to listen to the liability hearing, but they chose not to do so.

19. The evidence that I considered as part of the hearing included:

19.1. the claimant's claim form, her letter to the respondent dated 16 September 2019, text messages between the claimant and her former colleague Sharon and an Ofsted report dated 7 August 2019;

19.2. the respondents' letter to the Tribunal of 13 December 2019, together with its attachments (including letters between the respondents and their former landlord);

- 19.3. the claimant's written statements dated 21 February 2020 and 10 May 2020; and
- 19.4. the additional oral evidence provided by the claimant during the hearing.

Findings of fact

- 20. The Tribunal must make findings of fact on the balance of probabilities regarding the evidence presented during a hearing.
- 21. Neither of the respondents submitted a response to the claimant's claims in the format required by the Tribunal. In reaching these findings of fact, I have considered the documentary evidence available to me, including the respondents' letter to the Tribunal of 13 December 2019 and its attachments. I note that the respondents deny any allegations of racial harassment and state that the claimant has made 'false allegations'. However, the bulk of the letter's contents and its attachments focus on the decision of the landlord not to permit the pre-school to continue to operate from the site, rather than the allegations raised by the claimant.
- 22. I have also considered the claimant's oral evidence during the hearing. The Tribunal places greater weight on witness evidence from witnesses whom it is able to test by questioning during a hearing, than on other forms of evidence, where there is a conflict.

Claimant's employment

- 23. Mrs Nadia Aziz and Mr Asghar Aziz were the directors of Soothill Pre-School Limited ("**Soothill**"). Soothill ran a pre-school based at a community centre in Batley.
- 24. The claimant was employed by Soothill for around four years until her redundancy with effect from 20 September 2019 in the role of a pre-school worker.
- 25. The claimant was initially managed by another employee, Farzana Yousef. At that time, she worked alongside three other employees including Miss Nyla Aziz (Mr and Mrs Aziz's daughter) and Ms Marian Boston. Mrs Nadia Aziz would also attend the pre-school regularly.
- 26. The claimant had a good working relationship with Miss Nyla Aziz and Mrs Nadia Aziz during the first few years of her employment. However, that relationship deteriorated from September 2018 onwards. The claimant believed that Miss Nyla Aziz and Mrs Nadia Aziz interfered with Ms Yousef's management decisions. The claimant also believed that Miss Nyla Aziz favoured Ms Marian Boston, who was a close friend of Miss Nyla Aziz, to the detriment of the other nursery employees. For example, the claimant's hours were reduced, her working days were changed and she was consistently blamed for the actions of other staff.

27. In April or May 2019, Ms Yousef resigned from her role with the respondent. The claimant believed that Ms Yousef was unhappy because her management responsibilities were often taken over by Miss Nyla Aziz and Mrs Nadia Aziz. The respondent had recently appointed a new employee, Sharon, who became the manager after Ms Yousef's resignation.
28. The claimant has raised claims of race discrimination and/or harassment. The claimant describes herself as British/Indian. The claimant compares her treatment to the respondents' treatment of other employees, whose ethnicity she describes as follows:
- 28.1. Ms Boston – British/Pakistani; and
28.2. Sharon – British/English.

Claimant's request to change her working hours and leave one shift early – July 2019

29. The claimant informed the respondent that she was pregnant in early June 2019. The respondent carried out a risk assessment, which stated that the claimant should not change children's nappies. However, Miss Nyla Aziz insisted that the claimant should continue to change nappies. In addition, Miss Nyla Aziz refused to assist the claimant with any responsibilities relating to the claimant's key children. In addition, Mrs Nadia Aziz's attitude to the claimant changed after she announced her pregnancy. For example, Mrs Nadia Aziz previously spoke with the claimant if she were at the nursery but ignored her after the claimant announced her pregnancy.
30. The claimant asked Sharon if she could change her working hours in July 2019, so that she could work morning shifts instead of afternoon shifts. The claimant was pregnant at that time and she was feeling very tired. She had experienced problems with previous pregnancies, of which the respondents were aware. The claimant asked to work morning shifts so that she could have a rest early afternoon before picking her children up from school. Sharon told the claimant that she would have to ask Miss Nyla Aziz. However, Miss Nyla Aziz refused the claimant's request without providing a proper explanation.
31. On another occasion, the claimant asked Miss Nyla Aziz if she could leave work 30 minutes early in order to attend an event at her son's school. There were fewer children at the pre-school towards the end of the day and Soothill would have had sufficient staff to meet Ofsted's required ratios. However, Miss Nyla Aziz refused to let the claimant leave early and instead insisted that the claimant should take a day's leave.
32. By way of comparison, Miss Nyla Aziz was willing to permit Ms Boston to swap her shifts and leave early whenever she wished. Ms Boston was a close friend of Miss Nyla Aziz. Miss Nyla Aziz would let Ms Boston pick and choose the tasks that she wanted to carry out and would cover her responsibilities for Ms Boston's

key children. In addition, Ms Boston's shifts were often covered by a friend of Miss Nyla Aziz without pay.

Pre-school closure

33. Soothill was visited by a schools co-ordinator (Gillian) in or around June 2019. She raised concerns on 6 June 2019 to Ofsted regarding Soothill's setting. Soothill was subsequently graded as 'inadequate' in Ofsted's report of 7 August 2019.
34. At around the same time, the landlord decided that Soothill's permission to use the community centre site would not be renewed. The claimant was not aware of that decision until the week of 14 September 2019.
35. The respondent informed the claimant that the pre-school was due to close in or around the week of 14 September 2019. The respondent did not consult with its employees regarding the closure and simply informed all staff that the landlord would no longer permit the pre-school to operate at the site. The claimant asked her husband about this because he was a trustee on the landlord's board. He told the claimant that the reason for the landlord's refusal was due to concerns regarding bad publicity relating to the pre-school.
36. The claimant asked her husband why he had not told her earlier. He said that he knew of the decision not to renew Soothill's permission to use the site but that he was unable to tell the claimant because this was confidential.
37. At around the same time, the claimant decided to withdraw her son from the pre-school. I accept the claimant's evidence that this was not related to Soothill's closure but that because she believed he had not progressed as much as he could at the pre-school.
38. I also accept the claimant's evidence that she was not aware of the landlord's decision not to renew Soothill's permission to operate from the site until around the week of 14 September 2019.

Racist comment – 18 September 2019

39. The claimant was working in the pre-school on 18 September 2019. Miss Nadia Aziz said to the claimant: *"You've made the nursery close down"*. The claimant asked why and said that she loved working at Soothill. Miss Nadia Aziz replied and said: *"You've made it close down because you're a racist Indian"*.
40. The claimant complained to Mr Asghar Aziz about the comment. He apologised on behalf of Miss Nyla Aziz. Mrs Nadia Aziz did not speak to the claimant regarding the comment.

41. The claimant overheard Mrs Nadia Aziz talking to parents of children attending the pre-school during the week of 14 September 2019. She said to the parents, regarding the claimant: *"Her husband, who is Indian, is closing us down"*.

Soothill's failure to pay the claimant's wages and redundancy pay on termination of employment – September 2019

42. All of Soothill's employees were made redundant on or around 20 September 2019 due to the closure of the pre-school.
43. I have considered the text messages between the claimant and Sharon. I accept that these indicate that Sharon was paid her statutory redundancy pay and any other wages due on the termination of her employment. However, the messages also state that Sharon did not receive her notice pay.
44. The claimant asked Soothill and Mrs Nadia Aziz why she had not been paid her statutory redundancy pay and any other wages following the termination of her employment on several occasions after her employment ended. She obtained a Rule 21 Judgment for the Pay Claims. However, as at the date of this hearing those amounts have not been paid.
45. I accept the claimant's evidence that Mrs Nadia Aziz blamed the claimant's husband for Soothill's closure and that she did not pay the claimant's statutory redundancy pay or outstanding wages because of this.
46. I accept the claimant's evidence that if Sharon has been paid, then it is likely that Miss Nyla Aziz, Miss Boston and any other employees of Soothill have been paid any applicable statutory redundancy pay and any other wages due on termination of employment.

Impact on the claimant

47. I considered the claimant's statements and heard evidence from the claimant during the hearing regarding the impact that the respondents' conduct has had on her. I accept her evidence that she felt that everything that went wrong at Soothill was blamed on her and that she felt humiliated. She felt like crying before work and that she became panicked and snappy. The claimant dreaded going to work even more if Sharon was not there because Miss Nyla Aziz would not speak to her and would instead give her lists of things to do without Sharon's knowledge.
48. I accept the claimant's evidence that she was particularly hurt by the racist comment made by Miss Nyla Aziz on 18 September 2020 because she has several relatives who are of different ethnicities.

49. The claimant still feels hurt as a result of the respondents' conduct towards her during her employment and describes it as a 'very traumatic time'. The claimant's hurt feelings have been compounded by Soothill's failure to pay her statutory redundancy pay and her outstanding wages, which has prevented her from moving on with her life.

Relevant law

50. Claims of discrimination and harassment related to religion or belief are governed by the Equality Act 2010 ("**EQA**"). Section 39 states that it is unlawful for employers to discriminate against their employees, including in relation to the terms of their employment and by subjecting them to a detriment. Section 40 states that it is unlawful for employers to harass their employees.

Direct discrimination (race)

51. Direct discrimination is defined by the EQA as follows:

13 Direct discrimination

- (1) A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.

...

52. In addition, s23 of the EQA states in relation to comparators for direct discrimination cases that:

23 Comparison by reference to circumstances

- (1) On a comparison of cases for the purposes of section 13...there must be no material difference between the circumstances relating to each case.

...

53. In relation to less favourable treatment, the Tribunal notes that:

53.1. the test for direct discrimination requires an individual to show more than simply different treatment (Chief Constable of West Yorkshire Police v Khan 2001 ECR 1065 HL);

53.2. however, an employee does not have to experience actual disadvantage for the treatment to be less favourable. It is sufficient that an employee can reasonably say that they would have preferred not to be treated differently from the way an employer treated or would have treated another person (cf paragraph 3.5 of the EHRC Employment Code).

Harassment (race)

54. Harassment is defined by the EQA as follows:

26 Harassment

- (1) A person (A) harasses another (B) if –
- (a) A engages in unwanted conduct related to a relevant protected characteristic, and
 - (b) the conduct has the purpose or effect of –
 - (i) violating B's dignity, or
 - (ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for B.
- ...
- (4) In deciding whether conduct has the effect referred to in subsection (1)(b), each of the following must be taken into account –
- (a) the perception of B;
 - (b) the other circumstances of the case;
 - (c) whether it is reasonable for the conduct to have that effect.
- (5) The relevant protected characteristics are – ...religion;
- ...

55. There are three elements to the definition of harassment:

- 55.1. unwanted conduct;
- 55.2. the specified purpose or effect; and
- 55.3. that the conduct is related to a relevant protected characteristic: see *Richmond Pharmacology v Dhaliwal* [2009] IRLR 336.

56. A single act can constitute harassment, if it is sufficiently 'serious' (cf paragraph 7.8 of the EHRC Code).

57. The burden of proof provisions apply (see below).

Direct discrimination (pregnancy)

58. Direct discrimination in relation to pregnancy is defined by the EQA as follows:

18 Pregnancy and maternity discrimination: work cases

- ...
- (2) A person (A) discriminates against a woman if, in the protected period in relation to a pregnancy of hers, A treats her unfavourably –
- (a) because of her pregnancy
- ...

Burden of proof

59. The burden of proof for all of the claimant's claims under the EQA is set out at s136 of the EQA, as follows:

136 Burden of proof

...

(2) If there are facts from which the court could decide, in the absence of any other explanation, that a person (A) contravened the provision concerned, the court must hold that the contravention occurred.

(3) But subsection (2) does not apply if A shows that A did not contravene the provision.

...

(6) A reference to the court includes a reference to -
(a) an employment tribunal;

...

60. The Court of Appeal in *Igen Ltd v Wong* [2005] ICR 931 gave guidance as to the application of the burden of proof provisions. That guidance remains applicable: see *Ayodele v Citylink Ltd* [2017] EWCA Civ 1913. The guidance outlines a two-stage process:

60.1. First, the claimant must prove facts from which the tribunal could conclude, in the absence of an adequate explanation, that the respondent had committed an unlawful act of discrimination against the complainant. That means that a reasonable tribunal could properly so conclude, from all the evidence before it. A mere difference in status and a difference of treatment is not sufficient by itself: see *Madarassy v Nomura International plc* [2007] ICR 867, CA.

60.2. The second stage, which only applies when the first is satisfied, requires the respondent to prove that it did not commit the unlawful act.

61. The Supreme Court in *Hewage v Grampian Health Board* [2012] ICR 1054 made clear that it is important not to make too much of the role of the burden of proof provisions. Those provisions will require careful attention where there is room for doubt as to the facts necessary to establish discrimination. However, they are not required where the Tribunal is able to make positive findings on the evidence one way or the other.

Detriment – leave for family reasons

62. The Employment Rights Act 1996 (“**ERA**”) sets out the relevant law in relation to the claimant's detriment claim.

47C Leave for family and domestic reasons

(1) An employee has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done for a prescribed reason.

(2) A prescribed reason...relates to –

(d) time off under s57A.”

...

57A Time off for dependants

(1) An employee is entitled to be permitted by his employer to take a reasonable amount of time off during the employee's working hours in order to take action which is necessary –

(e) to deal with an incident which involves a child of the employee and which occurs unexpectedly in a period during which an educational establishment which the child attends is responsible for him.”

63. The ERA does not provide for time off for dependants to deal with a planned school event.

Applying the law to the facts

64. Applying the law to the facts, my conclusions are set out below.

Direct race discrimination and/or harassment related to the claimant's race

65. My conclusions on the claimant's three complaints in this category set out below.

66. **Shift change request (July 2019):** I have concluded that Ms Nyla Aziz's refusal to permit the claimant to change her shifts was unfavourable treatment and that it amounted to direct race discrimination. This is because I have concluded that Ms Nyla Aziz treated or would have permitted an employee who was not of British Indian ethnic origin (such as Ms Boston) to change their shifts.

67. **Non-payment of wages and statutory redundancy pay on termination of employment (September 2019):** I have concluded that Soothill's refusal to pay the claimant her wages and statutory redundancy pay on termination of her employment -

67.1. amounted to unfavourable treatment but that it did not amount to direct race discrimination; and

67.2. amounted to unwanted conduct but was not related to the claimant's race.

This is because I have concluded that the reason for the non-payment was due to the respondents' arguments with their landlord's trustees (including the claimant's husband) regarding the termination of Soothill's licence to use the community centre site, rather than due to the claimant's race.

68. **'Racist Indian' comment by Ms Nyla Aziz (18 September 2019):** I have concluded that this comment amounted to harassment related to the claimant's race because:

68.1. this conduct was clearly unwanted and related to the claimant's race; and

68.2. it had the purpose or effect of violating the claimant's dignity and/or creating an intimidating, hostile, degrading, humiliating or offensive environment for the claimant and it was reasonable for that conduct to have that effect.

Direct pregnancy discrimination

69. My conclusions on the claimant's two complaints in this category are as follows:

70. **Shift change request (July 2019):** I have concluded that Ms Nyla Aziz's refusal to permit the claimant to change her shifts was unfavourable treatment but that it did not amount to direct pregnancy discrimination. This is because I have accepted the claimant's evidence that her relationship with Ms Nyla Aziz deteriorated and that she was bullied by Ms Nyla Aziz from September 2018, i.e. several months before the claimant announced her pregnancy in July 2019.

71. **Non-payment of wages and statutory redundancy pay on termination of employment (September 2019):** I have concluded that Soothill's refusal to pay the claimant her wages and statutory redundancy pay on termination of her employment was unfavourable treatment but that it did not amount to direct pregnancy discrimination. This is because I have concluded that the reason for this treatment was due to the respondents' arguments with their landlord's trustees (including the claimant's husband) regarding the termination of Soothill's licence to use the community centre site, rather than the claimant's pregnancy.

Which respondent or respondents is or are liable for the discrimination and harassment?

72. I have concluded that Soothill is liable for the direct race discrimination (regarding Ms Nyla Aziz's refusal of the claimant's shift change request) and harassment (regarding the comment by Ms Nyla Aziz) and that Mrs Nadia Aziz is not personally liable for these matters. The reasons for my conclusion are that the refusal of the claimant's shift change request and the comment on 18 September 2019 were made by Ms Nyla Aziz during the course of her employment with Soothill and without any prior knowledge of Mrs Nadia Aziz.
73. I accept the claimant's evidence that Mrs Nadia Aziz referred to the claimant's husband as 'the Indian' during the last week of her employment in conversation with a number of parents regarding pre-school's closure. However, the claimant was unable to provide any evidence linking Mrs Nadia Aziz to Ms Nyla Aziz's actions in July 2019 or on 18 September 2019.

Detriment – leave for family reasons

74. The claimant cannot succeed in this claim because the time off that she requested for her son was to attend a planned school event. This was not an 'unexpected incident' under s57A of the ERA.

Remedy

75. The claimant's remedy for the race discrimination and harassment that I have found consists of an award for injury to feelings. She has not sought a declaration. In reaching my conclusions on remedy, I have considered:

75.1. the guidance set out in *Vento v CC of West Yorkshire Police* (No.2) 2003 ICR 318 CA, as updated in later cases including *Da'Bell v NSPCC* 2010 IRLR 19 EAT, *Simmons v Castle* 2012 EWCA Civ 1288 CA and *De Souza v Vinci Construction (UK) Ltd* 2018 ICR 433, CA;

75.2. the Tribunal's Presidential Guidance on Employment Tribunal awards for injury to feelings and psychiatric injury; and

75.3. the provisions of s124 of the Equality Act 2020.

76. I have accepted the claimant's evidence regarding the impact of the race discrimination and harassment on her, as set out in paragraph 46 to 49 of this judgment. I have also taken into account the claimant's evidence that Mr Asghar Aziz apologised for Miss Nyla Aziz's comment on 18 September 2019, although Miss Nyla Aziz did not make any apology for her conduct. I have concluded that both of these incidents fall within the lower band set out in *Vento*.

77. The claimant submitted her claim on 6 October 2019. The *Vento* lower band in respect of claims presented on or after 6 April 2019 was £900 to £8800.

78. In note that where there are multiple acts of discrimination, the Tribunal's usual practice is to make a global award of injury to feelings in order to avoid double-counting.

79. I award the claimant a total of £2,500 injury to feelings against Soothill in relation to Soothill's act of race discrimination and act of harassment.

80. The interest rate applicable in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996 is 8%. The interest period begins on the date of the act of discrimination and ends on the day the amount of interest is calculated (Regulation 6(1)). The claimant was unable to provide the exact date of the refusal of her shift change, but stated it took place in early July 2019. I have therefore deemed the interest calculation date to be 1 July 2019.

81. The interest on the award is calculated as follows: $\text{£}2500 \times 8\% \times 345/365 = \text{£}189.04$.
82. I also award the claimant an additional two weeks' gross pay (i.e. $\text{£}295.56$) relating to the respondent's failure to provide her with written particulars of employment. This has been calculated as follows: $\text{£}8.21 \text{ per hour} \times 18 \text{ hours} \times 2 \text{ weeks}$.
83. For the avoidance of doubt, these awards are made in addition to the award for the Pay Claims set out in EJ Little's judgment of 7 April 2020.

Employment Judge Deeley

11 June 2020