



EMPLOYMENT TRIBUNALS

Claimant: Ms D Cooney

Respondent: Mr A Calvert and Mr D Johns, acting as Trustees for and on behalf of
Roose Conservative Working Mens Club (an unincorporated association)

JUDGMENT

Employment Tribunals Rules of Procedure 2013
Rule 64

By consent of the parties, the judgment of the Tribunal is as follows:

1. The Respondent admits that the Claimant was dismissed by reason of redundancy and accordingly agrees that the Claimant is entitled to a statutory redundancy payment in the sum of **£2308.43 (TWO THOUSAND THREE HUNDRED AND EIGHT POUNDS AND FORTY THREE PENCE)** as set out in her Claim number 2410517/2019 before the Manchester Employment Tribunal
2. The Respondents hereby confirm that they are unable to pay the Claimant's statutory redundancy payment due to their current financial position and on that basis, the Claimant agrees that she shall lodge a claim for her statutory redundancy payment with the Redundancy Payments Service (RPS) as operated by the UK government and the Respondent shall promptly provide an open letter and shall provide such reasonable assistance and such other information as the Redundancy Payments Service shall reasonably require in order to confirm that the Respondent is unable to pay the Claimant's statutory redundancy payment. In the event that, for any reason other than a failure on the part of the Claimant to use best endeavours to promptly provide such information or to do such acts as the RPS may require in order to assess the Claimant's claim for a statutory redundancy payment, the RPS fail to make payment then, subject to any legal challenge which the Claimant shall first make if there are reasonable prospects of succeeding in any such challenge, the redundancy payment remains due and owing by the Respondents to the Claimant and shall be paid to her at the rate of £100.00 per month, with the first payment being paid no later than 30 days after

the date on which the Respondents are due to make the final payment to the Claimant's husband, Mr Ray Cooney, pursuant to the Judgment entered in his case under claim number Claim number 2410516/2019 before the Manchester Employment Tribunal. In the event that any instalment is not paid on time, interest shall be due on such unpaid amounts at the rate of 4% per annum, calculated on a daily basis.

3. The Claimant's claims for unfair dismissal, notice pay, holiday pay and for failure to provide her with a written statement of terms and conditions of employment as set out in her Claim number 2410516/2019 before the Manchester Employment Tribunal are withdrawn and the Parties agree that these Claims should accordingly be dismissed.

Employment Judge Batten
29 July 2020

JUDGMENT SENT TO THE PARTIES ON

31 July 2020
AND ENTERED ON THE REGISTER

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2410517/2019**

Name of case: **Mrs D Cooney** v **Mr A Calvert And Mr D
Johns, Acting As Trustees
For And On Behalf Of
Roose Conservative
Working Mens**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 31 July 2020

"the calculation day" is: 1 August 2020

"the stipulated rate of interest" is: **8%**

MR S ARTINGSTALL
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.