



EMPLOYMENT TRIBUNALS

Claimant: Mrs D Clark

Respondent: Bravissimo Ltd

FINAL HEARING

Heard at: Midlands (West) (via CVP)

On: 28-29 September 2020

Before: Employment Judge Camp

Appearances

For the claimant: Mr N Spearing, lay representative

For the respondent: Mr A Johnston, counsel

JUDGMENT

- (1) The claimant was unfairly dismissed.
- (2) The claimant seeks compensation only and is awarded, and the respondent must pay her, the sum of **£4,252.80**, made up of:
 - a. a basic award of £6,379.20 reduced by one-third pursuant to section 122(2) of the Employment Rights Act 1996;
 - b. a compensatory award reduced to £nil pursuant to the so-called 'Polkey principle' (see Polkey v AE Dayton Services Ltd [1987] UKHL 8 and paragraph 54 of the EAT's decision in Software 2000 Ltd v Andrews [2007] ICR 825).

Employment Judge Camp

29 September 2020

Note: Reasons for this decision were given orally. Written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of the sending of the written record of the decision.