



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Miss L Pantrey

AND

Respondent
The Angmering Club

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Southampton **ON** 1 and 2 October 2020

EMPLOYMENT JUDGE GRAY

Representation

For the Claimant: Mr B Large (Counsel)
For the Respondent: Ms C Step-Marsden (Counsel)

JUDGMENT

The Judgment of the Tribunal is that the Claimant's complaint of unfair dismissal succeeds and by consent the complaint of wrongful dismissal succeeds.

By consent (the parties having agreed remedy) the Respondent is ordered to pay the Claimant the total sum of £6,313.49 made up as follows:

- A basic award of £529.88
- Loss of earnings of £2,952.14 net
- Other losses (pension and travel costs) of £680.64
- For loss of statutory employment rights of £264.94
- A 25% uplift for breach of the ACAS code of £1,239.37
- For failure to provide written particulars, £529.88
- A net sum of £116.64 to cover the short fall in notice.

The Recoupment Regulations 1996 apply to the above awards. The information required by Regulation 4 (see also the Annex to this Judgment) is as follows:

(a)	Monetary Award	£5,137.09
(b)	Prescribed Element	£503.54
(c)	Dates of the periods to which the Prescribed Element is attributable is for the months of August 2019 and September 2019	
(d)	The amount by which the Monetary Award exceeds the Prescribed Element is	£4,633.55

 Employment Judge Gray
 Date: 2 October 2020

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.

**ANNEX TO THE JUDGMENT
(MONETARY AWARDS)**

Recoupment of Jobseeker's Allowance and Income Support

The following particulars are given pursuant to the Employment Protection (Recoupment of Jobseekers Allowance and Income Support) Regulations 1996, SI 1996 No 2349, Reg 4.

The Tribunal has awarded compensation to the claimant, but not all of it should be paid immediately. This is because the Secretary of State has the right to recover (recoup) any Jobseeker's Allowance and other specified allowances paid to the claimant after dismissal in respect of the compensatory award for unfair dismissal. This will be done by way of a Recoupment Notice, which will be sent to the respondent usually within 21 days after the Tribunal's judgment was sent to the parties.

The Tribunal's judgment states: (a) the total monetary award made to the claimant; (b) an amount called the prescribed element, if any; (c) the dates of the period to which the prescribed element is attributable; and (d) the amount, if any, by which the monetary award exceeds the prescribed element. Only the prescribed element is affected by the Recoupment Notice and that part of the Tribunal's award should not be paid until the Recoupment Notice has been received.

The difference between the monetary award and the prescribed element is payable by the respondent to the claimant immediately.

When the Secretary of State sends the Recoupment Notice, the respondent must pay the amount specified in the Recoupment Notice to the Secretary of State. This amount can never be more than the prescribed element of any monetary award. If the amount is less than the prescribed element, the respondent must pay the balance to the claimant. If the Secretary of State informs the respondent that it is not intended to issue a Recoupment Notice, the respondent must immediately pay the whole of the prescribed element to the claimant.

The claimant will receive a copy of the Recoupment Notice from the Secretary of State. If the claimant disputes the amount in the Recoupment Notice, the claimant must inform the Secretary of State in writing within 21 days. The Tribunal has no power to resolve such disputes, which must be resolved directly between the claimant and the Secretary of State.