



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs A Roche

**Respondent:** Tameside & Glossop CCG

**Heard at:** Manchester

**On:** 8 December 2020

**Before:** Regional Employment Judge Franey  
Mrs C Linney  
Mrs C A Titherington

## REPRESENTATION:

**Claimant:** Mr J Roche (Claimant's husband)

**Respondent:** Ms L Carr (Solicitor)

# FURTHER REMEDY JUDGMENT

This is the second of two judgments about remedy. The awards made are in addition to those in the first remedy judgment. The “Code V” in the heading indicates that the hearing was conducted by video conference call. The unanimous judgment of the Tribunal is as follows:

1. The respondent is ordered to pay the claimant the sum of **£1,052.70** as compensation for loss of earnings between 8 February 2018 and 13 April 2018 resulting from its failure to make reasonable adjustments.
2. The respondent is ordered to pay the claimant the sum of **£5,555.23** as compensation for loss of earnings resulting from the discriminatory dismissal on 13 April 2018 in the period ending on 31 January 2020.
3. The respondent is ordered to pay the claimant the sum of **£5,784.68** as compensation for loss of pension resulting from the discriminatory dismissal on 13 April 2018.

4. The respondent is ordered to pay the claimant the sum of **£2,828.51** as interest on the awards of compensation for disability discrimination as follows:

- (a) On the award of £5,000 for injury to feelings before dismissal, £887.67;
- (b) On the award of £8,000 for injury to feelings from dismissal, £1,251.95;
- (c) On the award of £1,052 for loss of earnings before dismissal, £119.06;
- (d) On the award of £5,555.23 for loss of earnings after dismissal, £569.83.

5. In addition the respondent is ordered to pay the claimant the sum of **£4,234.86** representing the tax the claimant will have to pay as a consequence of our awards as follows

- 2019/2020 £2,400.00 representing tax on the taxable amount paid in March 2020 pursuant to the first remedy judgment of £14,799.21, which excludes the tax free amount of £5,000 awarded as compensation for injury to feelings resulting from discrimination prior to termination.
- 2020/2021 £1,834.86 representing tax on the amount payable pursuant to this judgment excluding the tax free amount of £887.67 paid as interest on the amount awarded as compensation for injury to feelings resulting from discrimination prior to termination.

6. The recoupment regulations do not apply.

7. The total further amount payable by the respondent is as follows:

Discrimination compensation	£12,392.61
Interest	£2,828.51
Grossing up	<u>£4,234.86</u>
Total	<b>£19,455.98</b>

Regional Employment Judge Franey  
8 December 2020

JUDGMENT SENT TO THE PARTIES ON  
31 December 2020

FOR THE TRIBUNAL OFFICE

**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.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2414888/18  
Mrs A Roche v Tameside & Glossop CCG

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 December 2020

"the calculation day" is: 1 January 2021

"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/collections/employment-tribunal-forms](http://www.gov.uk/government/collections/employment-tribunal-forms)

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.