



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms N Daoud (maiden name Boukhannouche)  
**Respondent:** Bvlgari (UK) Ltd  
**Heard at:** London Central Employment Tribunal (by video)  
**On:** 15 February 2021  
**Before:** Employment Judge Quill;  
Ms H Edwards;  
Ms W Blake Ranken

## Appearances

For the claimant: In person  
For the respondent: Ms R Azib, counsel

This was a remote hearing with the consent of the parties. The form of remote hearing was [V: audio fully (all remote)]. A face to face hearing was not held because it was not practicable and no-one requested the same. The documents that I was referred to are in a bundle of 292 pages and written witness statements, and the bundle and statements from the liability hearing.

## REMEDY JUDGMENT

The Respondent is ordered to pay the Claimant **£38,528.68**, comprising:

- (1) The basic award for the unfair dismissal is £1219.20. [This is 3 x £508, reduced by 20% in accordance with Section 122(2) of the Employment Rights Act 1996.
- (2) The compensatory award is £37309.48. [This is 52 x £717.49, applying the cap in section 124(1ZA)(b) of the Employment Rights Act 1996.]

The recoupment provisions apply and I refer to the annex attached.

For the purposes of the recoupment provisions:

1. The total monetary award is £38,528.68
2. The prescribed element is £34,266.72 (\*)
3. The period to which the prescribed element relates is 6 October 2018 to 15 February 2021
4. The balance is £4261.96

The prescribed amount would have been £54,048.35, but for the application of a reduction for contributory conduct (20%) and the fact that the cap resulted in the grossed up compensatory award (£58820.12) being reduced by 36.6%.

**P QUILL**

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**Employment Judge Quill**

Date: 18 February 2021

JUDGMENT SENT TO THE PARTIES ON

22 February 2021

FOR THE TRIBUNAL OFFICE

Notes

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/employmenttribunal-decisions](http://www.gov.uk/employmenttribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case

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

Recoupment of Benefits

The following particulars are given pursuant to the Employment Protection (Recoupment of Benefits) Regulations 1996, SI 1996 No 2349.

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, income-related employment and support allowance, universal credit or income support paid to the claimant after 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.