



EMPLOYMENT TRIBUNALS

Claimant: Mr K Lowe
Respondent: Mr R Allen t/a Ron Allen Snooker and Pool
Heard at: Cardiff (CVP) **On:** Friday 26th February 2021
Before: Employment Judge A Frazer

Representation:

Claimant:
In person

Respondent:
Ms A de Souza
(Paralegal)

JUDGMENT ON REMEDY

The Respondent shall pay to the Claimant the sum of £9, 869. 34.

Notes

1. The Respondent admitted liability for unfair dismissal and the hearing proceeded as a remedies hearing.
2. The recoupment regulations apply and the Annex attached to this judgment sets out the amounts for the purposes of recoupment of benefits under Employment Protection (Recoupment of Jobseekers Allowance & Income Support) Regulations 1996.
3. The compensation was awarded as follows:

Unfair Dismissal

(Contributory conduct application of 50% found to apply to basic and compensatory awards.
Net totals after application of the reduction are set out below)

Basic award	£821. 00
Compensatory award	£7, 100.00

Failure to supply written particulars	£1, 313.60
Loss of statutory rights	£400.00
Unpaid wages	£37.70
Holiday pay	£197.04
TOTAL	£9, 869.34

Employment Judge A Frazer
Dated: 25th March 2021

SENT TO THE PARTIES ON 26 March 2021

.....
FOR THE SECRETARY OF EMPLOYMENT
TRIBUNALS Mr N Roche

Mr K Lowe

Mr R Allen t/a Ron Allen Snooker and Pool

Claimant

Respondent

v

ANNEX TO THE JUDGMENT OF THE TRIBUNAL

Statement Relating to the Recoupment of Jobseekers Allowance, etc

The following particulars are given pursuant to the Employment Protection (Recoupment of Jobseekers Allowance & Income Support) Regulations 1996 SI 1997 2349.

- (a) Monetary award: £9, 869.34
 - (b) Prescribed element: £5, 680.53
 - (c) Period to which (b) relates: 29th July 2019 to 26th February 2021
 - (d) Excess of (a) over (b). £4188.81
1. The Claimant(s) may not be entitled to the whole monetary award. Only (d) is payable forthwith; (b) is the amount awarded for loss of earnings during the period under (c) without any allowance for jobseekers allowance, income-related employment and support allowance, or income support received by the Claimant in respect of that period; (b) is not payable until the Department of Employment has served a notice (called a Recoupment Notice) on the Respondent(s) to pay the whole or a part of (b) to the Department (which it may do in order to obtain repayment of unemployment, or social security, benefit paid to the Claimant(s) in respect of that period) or informs the Respondent(s) in writing that no such notice will be served. The sum named in the Recoupment Notice, which will not exceed (b), will be payable to the Department. The balance of (b), or the whole of it if notice is given that no Recoupment Notice will be served, is then payable to the Claimant(s).
 2. The Recoupment Notice must be served within the period of 21 days after the conclusion of the hearing or 9 days after the Judgment is sent to the parties, (whichever is the later), or as soon as practicable thereafter, when the Judgment is given orally at the Hearing. When the Judgment is 'Reserved', the notice must be sent within a period of 21 days after the date on which the Judgment is sent to the parties, or as soon as practicable thereafter.
 3. The Claimant(s) will receive a copy of the Recoupment Notice and should inform the Department of Employment in writing within 21 days if the amount claimed is disputed. The Tribunal cannot decide that question and the Respondent(s), after paying the amount under (d) and the balance (if any) under (b), will have no further liability to the Claimant(s), but the sum claimed in a Recoupment Notice is due from the Respondent(s) as a debt to the Department whatever may have been paid to the Claimant(s) and regardless of any dispute between the Claimant(s) and the Department.