



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs J Jacomb

**Respondent:** John Lund Prospect Estates Ltd

**HELD AT:** Leeds

**ON:** 11 March 2021

**BEFORE:** Employment Judge Brain

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Mr C Jones, In-house counsel

# JUDGMENT

The Judgment of the Employment Tribunal is that:

1. The respondent dismissed the claimant with an effective date of termination of 14 August 2020.
2. The respondent dismissed the claimant because of redundancy.
3. The respondent unfairly dismissed the claimant.
4. Upon remedy issues arising upon claimant's successful unfair dismissal complaint:
  - 4.1. The respondent made a statutory redundancy payment to the claimant on or around 28 August 2020. Accordingly, pursuant to section 122(4) of the Employment Rights Act 1996 the basic award shall be reduced by the amount of the redundancy payment such that no basic award is ordered to be paid by the respondent.
  - 4.2. Had the respondent followed a fair procedure the claimant would have been dismissed because of redundancy on or around 14 August 2020 in any event. Accordingly, it is not just and equitable to order the

respondent to make a compensatory award in the claimant's favour pursuant to section 123(1) of the 1996 Act.

Employment Judge Brain

Date: 26/3/2021