



EMPLOYMENT TRIBUNALS

Claimant: Miss J Quayle

Respondent: Scott Robert LLP

Heard at: Liverpool **On:** 19 March 2021

Before: Employment Judge Horne

Representatives

For the claimant: in person

For the respondent: Mr T Fuller, consultant

JUDGMENT

1. As compensation for unfair constructive dismissal, the respondent is ordered to pay the claimant:
 - 1.1. A basic award of £1,338.75; and
 - 1.2. A compensatory award of £8,530.05.
2. The total amount of compensation is £9,868.80.
3. The prescribed element is £8,258.05.
4. The period to which the prescribed element is attributable is 3 February 2020 until 5 January 2021.
5. The amount by which the total compensation exceeds the prescribed element is £1,610.75.

Employment Judge Horne

19 March 2021

SENT TO THE PARTIES ON

29 March 2021

FOR THE TRIBUNAL OFFICE

Notes:

- (1) The hearing code "V" in the heading to this judgment indicates that the hearing took place on a remote video platform. Neither party objected to the format of the hearing.
- (2) Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date when this judgment is sent to the parties.
- (3) The judgment sum is made up entirely of money payable on termination of employment and does not include any amount of post-employment notice pay. It is the tribunal's understanding that the judgment sum will accordingly be exempt from tax and national insurance.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2400195/2020**

Name of case: **Miss J Quayle** v **Scott Robert LLP**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding discrimination or equal pay awards or sums representing costs or expenses), shall carry interest where the sum remains unpaid on a day ("*the calculation day*") 42 days after the day ("*the relevant judgment day*") that the document containing the tribunal's judgment is recorded as having been sent to the parties.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant judgment 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 judgment day" is: **29 March 2021**

"the calculation day" is: **30 March 2021**

"the stipulated rate of interest" is: **8%**

For and on Behalf of the Secretary of the Tribunals

Claimant **Miss J Quayle**
Respondent **Scott Robert LLP**

**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.