



**EMPLOYMENT TRIBUNALS**

**BETWEEN**

**Claimant**

**Respondent**

**AND**

**MS A. PAVULANE**

**24.7 RECRUITMENT  
SERVICES LTD**

**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

**HELD AT:** Birmingham via CVP

**ON:** 26 & 27 January 2021 & 18 & 19 March 2021

**EMPLOYMENT JUDGE** Algazy QC

**Representation**

**For the Claimant:** Mr T. Miaisik

**For the Respondent:** Ms N. Roberts – Counsel on 26/27 January 2021  
Mr A. Hobbs – Solicitor on 18/19 March 2021

**Upon the parties having agreed on liability and remedy**

**JUDGMENT BY CONSENT**

The judgment of the Tribunal is that:

1. The Tribunal declares that the claimant was unfairly dismissed.
2. The respondent is ordered to pay the claimant the agreed sum of £6881.87 in respect of her claims subject to the recoupment provisions as set out below.
3. The Employment Protection (Recoupment of Benefits) Regulations 1996, SI 1996 No 2349, apply. In accordance with those Regulations: (a) the total monetary award made to the claimant is £6881.87; (b) the amount of the prescribed element is £4481.51; (c) the dates of the period to which the prescribed element is attributable are 6 July 2020 to 1 October 2020; (d) the amount by which the monetary award exceeds the prescribed element is £2400.36.

Employment Judge Algazy QC  
19 March 2021

**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.