



EMPLOYMENT TRIBUNALS

Claimant: Ms R Bancroft

Respondent: Spin Restaurants Limited

Heard at: Cardiff (in person and On: 12, 13 and 14 May 2021
by video)

Before: Employment Judge R Harfield
Members Mr M Lewis
Ms S Atkinson

Representation:
Claimant: In person
Respondent: In person (Mr Brunt)

JUDGMENT

It is the unanimous decision of the tribunal that:

- (a) The claimant's complaints of maternity and pregnancy discrimination and indirect sex discrimination are not well founded and are dismissed;
- (b) The claimant did suffer an unauthorised deduction from wages in respect of the shifts she was not initially paid for in the first two week following her return from maternity leave. We make a declaration in that regard but do not award the reimbursement of the wages because they were subsequently paid to the claimant by the respondent. The claimant is, however, awarded the sum of £494.46 in respect of the subsequent loss of sick pay which was a financial loss sustained by the claimant attributable to that original deduction of wages;
- (c) The respondent failed to provide the claimant with a statement of her terms and conditions of employment prior to the claimant having presented her claim. Under section 38 of the Employment Act the claimant is awarded an additional 2 weeks' gross pay in the total sum of £260.
- (d) The total sum payable to the claimant is **£754.46**.

Employment Judge R Harfield
Dated: 14 May 2021

JUDGMENT SENT TO THE PARTIES ON 17 May 2021

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FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS Mr N Roche

NOTE:

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.