



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss S R Katsere

**Respondent:** Cambian Childcare Limited

**Heard at:** Manchester (by CVP)                      **On:** 10, 11, 12, 13 and 14 May 2021

**Before:** Employment Judge Ross  
Ms C Clover  
Ms A Ashworth

## REPRESENTATION:

**Claimant:** Mr P Ihebuzor, Solicitor

**Respondent:** Mr C Khan, Counsel

# JUDGMENT

The unanimous judgment of the Tribunal is:

1. The claimant's claim for unfair dismissal pursuant to section 95 and section 98 Employment Rights Act 1996 is well-founded and succeeds. However, any compensatory award should be reduced by 50% by reason of **Polkey v A E Dayton Services Limited 1987 IRLR 503** and reduced by 20% for contributory fault but uplifted by 10% for breach of the ACAS Code of Practice.
2. The claimant's claims that her dismissal and that the allegations listed at 3(a)-(w) in her further and better particulars document were acts of race discrimination pursuant to s13 Equality Act 2010 are not well-founded and fails.

3. The respondent, by consent, agrees to pay the claimant £57.77 for unpaid wages within 14 days of the date of this Judgment in satisfaction of her claim for unlawful deduction from wages pursuant to the Employment Rights Act 1996.
4. There will be a remedy hearing, by CVP, on 14 September 2021. The parties should be ready to attend for 10am. A notice of how to join will be sent separately.

Employment Judge Ross

Date: 24 May 2021

JUDGMENT SENT TO THE PARTIES ON

27 May 2021

FOR THE TRIBUNAL OFFICE

**Note**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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