



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms S Brown

**Respondent:** Millharbour Digital Limited in creditors' voluntary liquidation

**Heard at:** Watford by CVP                      **On:** 28 May 2021

**Before:** Regional Employment Judge Foxwell

## Representation

Claimant: In person

Respondent: No appearance

## COVID-19 Statement on behalf of Sir Keith Lindblom, Senior President of Tribunals

This has been a remote which has been not objected to by the parties. The form of remote hearing was remote video hearing. A face to face hearing was not held because it was not practicable, no-one requested the same, and all issues could be determined in a remote hearing.

# JUDGMENT

1. The claimant was dismissed by reason of redundancy.
2. The claimant was unfairly dismissed.
3. The claimant is entitled to a redundancy payment of £1,153.86.
4. The Tribunal makes a compensatory award for unfair dismissal of £2,950.78.
5. The recoupment provisions do not apply.

## REASONS

1. The claimant, Ms Stephanie Brown was born in 1992 and is presently aged 28. On 25 May 2016 she began working for the respondent, Millharbour

Digital Limited as a studio artworker. Her employment ended on 24 August 2019 when she was dismissed.

2. At the date of her dismissal, the claimant earned a salary of £20,000 per annum, which equates to £384.62 per week gross. Her monthly take home pay was £1,375.39.
3. Following her dismissal, the claimant looked for work for two months before finding a post with her current employer at a significantly higher rate of pay. This employment began on 21 October 2019.
4. Having gone through early conciliation between 22 August 2019 and 22 September 2019, on 21 October 2019 the claimant presented a claim for unfair dismissal to the Tribunal. Despite having requested and being granted an extension of time for doing so, the respondent failed to enter a response so this claim has been undefended.
5. The respondent went into creditors voluntary liquidation in early 2020.
6. I heard evidence from the claimant today and she explained to me her employment and earnings history as set out above. Based on her account, which I accept, I find that she was dismissed by reason of redundancy and that the dismissal was procedurally and substantively unfair.
7. In light of the claimant's age and length of service I find that she is entitled to a redundancy payment of £1,153.86.
8. The claimant was out of work for 2 months. She did not claim State benefits in this period. I have awarded her two months' net pay as compensation for unfair dismissal in the sum of £2,750.78 and the further sum of £200 for loss of statutory rights. I limited this award in view of the likelihood that she would have been made redundant in 2020 in any event. I did not award a separate basic award for unfair dismissal given that the claimant is entitled to a redundancy payment (which is its equivalent) and this is not a case where both awards are appropriate.
9. The recoupment provisions do not apply.

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Regional Employment Judge Foxwell

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Date 28 May 2021

JUDGMENT & REASONS SENT TO THE PARTIES ON

29 June 2021

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FOR THE TRIBUNAL OFFICE

**Case No: 3324478/2019**

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