



EMPLOYMENT TRIBUNALS

Claimants: Ms J Vidgen
Mrs H Hudson
Ms L Payne

Respondent: K2 Smiles Limited

CERTIFICATE OF CORRECTION

Employment Tribunals Rules of Procedure 2013

Under the provisions of Rule 69, the Reserved Remedy Judgment sent to the parties on 24 September 2021, is corrected as set out below in bold type.

The judgment amount which the Respondent must pay to Laura Payne is amended as follows:

- 3 the Third Claimant, Laura Payne, the amount of **£24,384.36**, which is a basic award of **£7,809.36** and a compensatory award of **£16,575**.

Paragraph 39 is amended as follows:

39 Laura Payne was born on 5 October 1968. She commenced work on 1 January 1996. Her employment ended on 1 April 2019. She was aged 50 at the date of termination. She had worked 23 full years for the Respondent. Her hourly pay was £15 and her gross weekly pay was **£318.75** per week, for **21.25** hours. If she had remained employed, currently her net pay would be **£287.21** according to the HMRC web site. The statutory cap in her case is 52 times **£318.75 = £16,575**.

Paragraph 40 is amended as follows:

40 The basic award is 24 1/2 weeks x **£318.75 = £7,809.36**.

Paragraph 50 is amended as follows

50 This Claimant would have been out of work for the period from 1 April 2019 to 30 September 2021, a total of 127 weeks. She would have been on furlough for 18 weeks. She would have been on compassionate leave and unpaid for 12 weeks. That means her loss is 109 weeks less 12 = 97 weeks

Case No: 2302095/2019

2302107/2019

2303310/2019

at **£287.21** per week totalling **£27,859.37** and a further 18 weeks at **£229.77** (80%) totalling **£4,135.82** equals **£31,995.19**. There are other losses and adjustments such as future loss, the statutory loss and the uplift, but it is clear that the total exceeds the statutory cap and so it is not necessary to go on to calculate any other such losses, including the loss of free dental treatment for which I do have some invoices. The compensatory loss is capped at **£16,575**.

Employment Judge N Walker

Date: 23 October 2021

Important note to parties:

Any dates for the filing of appeals or reviews are not changed by this certificate of correction and corrected judgment. These time limits still run from the date of the original judgment, or original judgment with reasons, when appealing.