



# EMPLOYMENT TRIBUNALS

**SITTING AT: LONDON CENTRAL**

**BEFORE: EMPLOYMENT JUDGE F SPENCER**

**CLAIMANT                      Mr R Lewis**

v

**RESPONDENT                Insignia Lifestyle Boutique Limited**

**ON:                      10<sup>th</sup> October 2021**

**Appearances:**

**For the Claimant: In person**

**For the Respondent: Did not attend. Response not received**

*This hearing was carried out on CVP (Cloud Video Platform). The parties did not object to it being conducted in this way.*

## JUDGMENT

1. Following the Judgment made on under rule 21 of the Employment Tribunal Rules of Procedure 2013 and sent to the parties on 21 September 2021 it was adjudged that the Claimant had been automatically unfairly dismissed and that remedy in respect of both the Claimant's claims would be determined at a hearing on 11 October 2021. I was satisfied that the Respondent was aware of these proceedings and had had notice of today's hearing.
2. The judgment of the Tribunal as to remedy is that the Respondent is ordered to pay the Claimant the sum of **£190,151** calculated as follows (and as set out in the Claimant's Schedule of loss). The Claimant has not yet found alternative employment and .

**Unfair dismissal**

<u>Basic Award</u>	2 x 538	<b>1,076</b>
--------------------	---------	--------------

Compensatory Award

loss to 27<sup>th</sup> July 2021 (including 9.5 months future loss)

45 weeks x £1,047.38	47,132.1
loss of statutory rights	300
loss of pension benefit	
10.5 months x 197.52	<u>2,073.96</u>
Total	49,506.06

loss from 27/7/21- 26/7/22

net salary	54,463.60
loss of pension	<u>2,370.24</u>
<u>Total</u>	56,833.84

Total compensatory award **106,339.90**

25% uplift for failure to comply with the ACAS code **26,584.98**

Grossing up **48,604.9**  
**Total** **182,605.78**

- 3 The Claimant's claim for pay in lieu of holiday accrued but not taken succeeds and the Respondent is ordered to pay the Claimant **£7546** for such holiday pay.
4. The total award is therefore **£190,151**.
5. No separate award is made for notice pay, as the period of notice is subsumed by the compensatory award and to prevent double recovery.
6. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply to this award, as the Claimant has not been in receipt of benefits.

\_\_\_\_\_  
Employment Judge Spencer  
11/10/2021

JUDGMENT SENT TO THE PARTIES ON  
11/10/2021..

.....  
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