



EMPLOYMENT TRIBUNALS

Claimant

Ms S. Mustafa

V

Respondent

**(1) British Council
(2) Ms. H. Worwood**

Heard at: London Central (by video)

On: 19,20,21,22 & 25 October 2021

Before: EJ P Klimov, Mrs. F. Bond, Ms. L. Jones

Representation

For the Claimant: Ms. N. Motraghi (of Counsel)

For the Respondent: Ms. R. Mustafa (daughter)

This has been a remote hearing which was not objected to by the parties. The form of remote hearing was by Cloud Video Platform (CVP). A face to face hearing was not held because it was not practicable due to the Coronavirus pandemic restrictions and all issues could be determined in a remote hearing.

JUDGMENT

1. The Claimant's claim for redundancy pay is stayed until 10 December 2021, with liberty to restore, if by that date the First Respondent fails to pay to the Claimant the full amount of her redundancy payment.
2. By consent, the Respondent shall pay to the Claimant the sum of **£3,517.59**, and account to HMRC for any tax and NI due, for the Claimant's accrued but untaken holidays, and in satisfaction of the Claimant's claim for holiday pay.
3. The Claimant's claims for direct race discrimination (s. 13 of the Equality Act 2010) against the First Respondent and the Second Respondent fail and are dismissed.

4. The Claimant's claim for racial harassment (s. 26 of the Equality Act 2010) against the Second Respondent fails and is dismissed.
5. The Claimant's claims for victimisation (s. 27 of the Equality Act 2010) against the First Respondent and the Second Respondent fail and are dismissed.
6. The Claimant was unfairly dismissed by the First Respondent.
7. If a fair dismissal procedure had been adopted by the First Respondent, the Claimant would have been dismissed on 31 August 2020.
8. The First Respondent must pay to the Claimant compensation for unfair dismissal comprising £250 for loss of statutory rights, plus an amount representing the Claimant's net loss for the period between 15 August 2020 and 31 August 2020.
9. The Parties must notify the Tribunal by 10 December 2020 if a remedy hearing is required.

Employment Judge P Klimov
London Central Region

Dated : 25 October 2021

Sent to the parties on:

26/10/2021.

For the Tribunals Office

Notes

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant (s) and respondent(s) in a case.