



# THE EMPLOYMENT TRIBUNALS

## BETWEEN

**Claimant:** Ms J Wall  
**Respondent:** Alison Ross and Mark Ross  
(trading as Hairbase)

## CERTIFICATE OF CORRECTION

### Employment Tribunals Rules of Procedure 2013

Under the provisions of Rule 69, the Judgment sent to the parties on 2 September 2021, is corrected as set out in block type at paragraph numbered 2) of the Corrected Judgment.

**EMPLOYMENT JUDGE MORRIS**

**SIGNED BY EMPLOYMENT JUDGE  
ON 12 November 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.



# THE EMPLOYMENT TRIBUNALS

## BETWEEN

**Claimant:** Ms J Wall  
**Respondent:** Alison Ross and Mark Ross  
(trading as Hairbase)

**Heard at:** Newcastle Hearing Centre      **On:** 11, 12 and 13 August 2021

**Before:** Employment Judge Morris (sitting alone)

**Representation:**

**Claimant:** In person (supported by Ms S Stoker)  
**Respondent:** Mr J McHugh of counsel

## CORRECTED JUDGMENT

The Judgment of the Employment Tribunal is as follows:

- 1) The claimant's complaint under Section 111 of the Employment Rights Act 1996 that her dismissal by the respondent was unfair contrary to Section 94 of that Act, by reference to Section 98 of that Act, is well-founded.
- 2) In respect of that unfair dismissal the Tribunal makes an award of compensation of ~~£4,870.78~~ **£2,805.98**, which the respondent is ordered to pay to the claimant, comprising the following elements:
  - a. a basic award of £854.70;
  - b. a compensatory award of £1,951.28.
- 3) That compensatory award has been calculated as follows:
  - a. compensation for loss of three weeks' net pay – £751.29;
  - b. loss of 'statutory rights' – £450;
  - c. the above sub-total of £1,201.29 has been increased by 15% in accordance with section 207A(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 – £180.19;
  - d. there has then been added two weeks' pay in accordance with section 38(3) of the Employment Act 2002 – £569.80.

- 4) The claimant's complaint under Regulation 30 of the Working Time Regulations 1998 that the respondent failed to pay her in respect of 4.5 days' holiday that she had accrued but not taken at the termination of her employment is well-founded.
- 5) In that respect, the respondent is ordered to pay to the claimant the amount due to her being £182.65. That amount has been calculated by reference to the claimant's gross pay and any liability to income tax or employee national insurance contributions shall be the liability of the claimant alone.
- 6) The Recoupment Regulations apply to the above award of compensation for unfair dismissal set out above in respect of which the Tribunal sets out the following particulars:
  - a. the monetary award is £2,805.98;
  - b. the amount of the prescribed element is £751.29
  - c. the dates of the period to which the prescribed element is attributable are 27 July 2019 to 13 August 2021;
  - d. the amount by which the monetary award exceeds the prescribed element is £2,054.69.

## **CORRECTED REASONS**

1. The elements of the award of compensation for unfair dismissal were correctly set out in the original Judgment (namely, a basic award of £854.70 and a compensatory award of £1,951.28) and are repeated in the above corrected Judgment. The calculations of the compensatory award were also correctly stated as were the particulars relating to the Recoupment Regulations.
2. Upon receipt of the email from the respondent's representatives, dated 2 November 2021, however, I realised that for some inexplicable reason the total of those two elements of the award of compensation for unfair dismissal had been set out as being £4,870.78 when, quite clearly, the correct total is £2,805.98; as is shown in the amount of the monetary award above.
3. Rule 69 of the Employment Tribunals Rules of Procedure 2013 provides for the correction of "any clerical mistake or other accident slip or omission" in any Judgment.
4. In accordance with that Rule, I have corrected, in paragraph numbered 2) above, the incorrect figure of £4,870.78 to become the correct figure of £2,805.98.

**EMPLOYMENT JUDGE MORRIS**

**JUDGMENT SIGNED BY EMPLOYMENT  
JUDGE ON 12 November 2021**

**JUDGMENT AND REASONS  
SENT TO THE PARTIES ON**

**17 November 2021**

**AND ENTERED IN THE REGISTER**

**S Dodds**

**FOR THE TRIBUNAL**

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