



EMPLOYMENT TRIBUNALS

Claimant: Mr Joe Higginson

Respondent: (1) Roanza Solutions Ltd
(originally in administration, now in voluntary liquidation)
(2) Roanza Ltd
(originally in administration, now in voluntary liquidation)

Heard at: Manchester (remote public hearing via CVP)

On: 17 January 2022

Before: Judge Brian Doyle
Mr Grahame Barker
Mr Ian Taylor

Representation

Claimant: In person
Respondent: Not in attendance or represented (written representations)

JUDGMENT ON RECONSIDERATION

1. On reconsideration, the Tribunal's Certificate of Correction dated 19 July 2021 is revoked and the Tribunal's original Judgment dated 19 April 2021 is restored because (a) the claimant's contract of employment appears to be with Roanza Solutions Ltd rather than with Roanza Ltd; (b) both the original Judgment and the Certificate of Correction were issued at a time when both companies were in administration; and (c) the administrators had consented to the claim proceeding against Roanza Solutions Ltd only but not against Roanza Ltd.

2. The claimant's complaints of (1) wrongful dismissal; (2) unfair dismissal contrary to sections 98, 100 and 103A of the Employment Rights Act 1996; and (3) detriments contrary to sections 44(1)(c) and 47B of the Employment Rights Act 1996 against Roanza Solutions Ltd are well-founded and the claim against Roanza Solutions Ltd only is upheld.

3. That respondent (Roanza Solutions Ltd) is ordered to pay to the claimant compensation in the total sum of **£29,945.30** calculated as set out below:

Wrongful dismissal

10 September 2019 to 29 October 2019

7 weeks' notice pay @ £478.62 net per week = £3,350.34

Unfair dismissal basic award

Employed 3 September 2012 to 10 September 2019

Aged 24 years old at relevant date

Gross weekly wage of £626.31 (capped at £525.00)

4.5 weeks @ £525.00 = £2,362.50

Unfair dismissal compensatory award

Loss of statutory rights = £500.00

Past loss of earnings after notice period – 30 October 2019 to 2 January 2020 – 11 weeks @ £478.62 net per week = £5,264.82

3 January 2020-19 April 2021 – 66 weeks @ £15.62 net per week (difference in pay of £478.62-£463.00) = £1,030.92

Future loss of earnings – 3 years @ £15.62 net per week (difference in pay of £478.62-£463.00) = £2,436.72

Injury to feelings

Award towards the middle of the middle *Vento* band (Presidential Guidance April 2019) = £15,000.00.

4. The recoupment regulations do not apply to the award.

Judge Brian Doyle
Date: 17 January 2022

JUDGMENT SENT TO THE PARTIES ON

24 January 2022

FOR THE TRIBUNAL 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.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2416618/2019**

Name of case: **Mr J Higginson** v **(1) Roanza Solutions Ltd
(originally in administration, now
in voluntary liquidation)
(2) Roanza Ltd
(originally in administration, now
in voluntary liquidation)**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 24 January 2022

"the calculation day" is: 25 January 2022

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office