



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Numbers: 4110804/2021, 4110805/2021, 4110806/2021, 4110807/2021
& 4110808/2021

10 **Claimants:** Mrs K Parkin, Mrs A Turriff, Ms C Murray, Ms K Hay and Mrs
K Barclay

Respondent: Heather Campbell trading as Happy Days Nursery

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CERTIFICATE OF CORRECTION Employment Tribunals Rules of Procedure 2013

20 In accordance with the power set out in Rule 69 of the Employment Tribunal Rules
of Procedure 2013, I hereby correct the clerical mistake(s), error(s) or omissions(s)
in the Judgment sent to the parties on 5 November 2021:

Page 2, Line 9, delete “£1969.11 (£231.66 x 8.5)” and substitute therefore “£1389.96
(£231.66 x 6)”;

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Page 2, Line 10, delete “£1158.30 (£231.66 x 5)” and substitute therefore “£1621.62
(£231.66 x 7)”;

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Page 2, Line 32, delete “£142.56 (£142.56 x 1)” and substitute therefore “£103.20
(£103.20 x 1)”;

Page 2, Line 33, delete “£285.12 (£142.56 x 2)” and substitute therefore “£206.40
(£103.20 x 2)”;

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Page 3, Line 1, delete “£855.36 (£142.56 x 6)” and substitute therefore “£619.20
(£103.20 x 6)”;

Page 3, Line 22, delete “May” and substitute therefore “February”;

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Page 3, Line 24, delete “5” and substitute therefore “7”;

E.T. Z4 (WR)

Page 3, Line 31 delete “£1969.11 (£231.66 x 8.5)” and substitute therefore “£1389.96 (£231.66 x 6)”;
Contd/..2..

Page 2

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Page 4, Line 1, delete “£1158.30 (5” and substitute therefore “£1621.62 (7”;

Page 5, Line 15, delete “£8.91 per hour” and substitute “£6.45 per hour”;

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Page 5, Line 16, delete “£142.56 (£142.56 x 1)” and substitute “£103.20 (£103.20 x 1)”;

Page 5, Line 17, delete “£285.12 (£142.56 x 2)” and substitute “£206.40 (£103.20 x 2)” and

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Page 5, Line 18, delete “£855.36 (£142.56 x 6)” and substitute “£619.20” (£103.20 x 6)”

An amended version of the Judgment is attached.

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Important note to parties:

Any dates for the filing of appeals or reconsideration are not changed by this certificate of correction or the amended Judgment or Case Management Order. These time limits still run from the date of the original Judgment or Case Management Order, or if reasons were provided later, from the date that those were sent to you.

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Employment Judge J Hendry

Date 18 November 2021

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Sent to parties 18 November 2021

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EMPLOYMENT TRIBUNALS (SCOTLAND)

5 **Case Nos: 4110804/2021, 4110805/2021, 4110806/2021, 4110807/2021,
4110808/2021 (V)**

Held on 27 October 2021

10 **Employment Judge J M Hendry**

Mrs Kelly Parkin

**1st Claimant
In Person**

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Mrs Alison Turriff

**2nd Claimant
In Person**

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Ms Chloe Murray

**3rd Claimant
In Person**

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Ms Karen Hay

**4th Claimant
In Person**

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Mrs Kelly Barclay

**5th Claimant
In Person**

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Heather Campbell trading as Happy Days Nursery

**Respondent
No response**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Respondent shall:

5 **(One) Pay Mrs Kelly Parkin**

1. **A redundancy payment amounting to £1969.11 (£231.66 x 8.5)**
2. **Pay in lieu of notice amounting to £1158.30 (£231.66 x 5)**
3. **Accrued holiday pay amounting to £1389.96 (£231.66 x 6)**

10 **(Two) Pay Mrs Karen Hay**

1. **A redundancy payment amounting to £4864.86 (£231.66 x 21)**
2. **Pay in lieu of notice amounting to £2779.92 (£231.66 x 12)**
3. **Accrued holiday pay amounting to £1389.96 (£231.66 x 6)**

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(Three) Pay Mrs Alison Turriff

1. **A redundancy payment amounting to £6718.14 (£231.66 x 29)**
2. **Pay in lieu of notice amounting to £2779.92 (£231.66 x 12)**
- 20 3. **Accrued holiday pay amounting to off six weeks £1389.96 (£231.66 x 6)**

(Four) Pay Mrs Kelly Barclay

- 25 1. **A redundancy payment amounting to £3608.55 (£267.30 x 13.5)**
2. **Pay in lieu of notice amounting to £2779.92 (£267.30 x 12)**
3. **Accrued Holiday Pay amounting to £1608.80 (£267.30 x 6)**

(Five) Pay Ms Chloe Murray

- 30 1. **A redundancy payment amounting to £142.56 (£142.56 x 1)**
2. **Pay in lieu of notice amounting to £285.12 (£142.56 x 2)**
3. **Accrued holiday pay amounting to £855.36 (£142.56 x 6)**

REASONS

1. The various claimants in this case lodged claims against their former
5 employer in relation to claims for redundancy, accrued holidays and notice.
The proceedings were undefended. The case proceeded to a hearing on the
27 October at which the various claimants gave evidence.

Evidence

- 10 2. I had no hesitation in accepting the claimant's evidence as being wholly
credible and reliable echoing as it did the position reflected the ET1 claim
forms which they had submitted: accordingly, I found as follows.
3. The Nursery was owned and managed by Mrs Heather Campbell. The
15 premises belonged to the Local Authority and were rented by Mrs Campbell.
The various claimants were employed there and were dismissed without
notice or payment of redundancy on the 28 May 2021. They were also due
holiday pay that had accrued to that date.

Mrs Kelly Parkin

- 20 4. Mrs Parkin's date of birth is 23 May 1993. She was 27 years old when her
employment was terminated on 28 May 2021. She had been employed from
17 February 2014 until 28 May 2021 a period of 5 full years. Prior to
termination of her employment she had been on furlough. Her correct hourly
25 rate at the date of termination of her employment was £8.91 per hour being
the minimum wage. She was contracted to work 26 hours per week. She
was entitled to 6 weeks accrued holiday leave at the date of termination. She
is entitled to the following sums:-

- 30 1. A redundancy payment amounting to £1969.11 (£231.66 x 8.5)
2. Pay in lieu of notice £1158.30 (5 weeks x £231.66)

3. Accrued holiday pay £1389.96 (6 x £231.66)

Mrs Karen Hay

5. Mrs Hay's date of birth is the 22 October 1960. She was employed from 4
5 January 2008 until 28 May 2021 a period of 13 years. She was 61 years of
age at termination of her employment. She was contracted to work 26 hours
per week at £8.91 per hour. She was on furlough prior to termination of her
employment and was entitled to six weeks accrued holiday pay. She is
entitled to the following sums:-

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1. A redundancy payment £ 4864.86 (£231.66 x 21)
2. Pay in lieu of notice £2779.92 (12 x £231.66)
3. Accrued holiday pay £1389.96 (£231.66 x 6)

15 **Mrs Alison Turriff**

6. Mrs Turriff worked for the respondent from 11 September 2001 until 28 May
2021 a period of twenty full years. Her date of birth was 1 May 1962. She
was 59 years of age on termination of her employment. She was contracted
20 to work 20 hours at £8.91 per hour. She was due 6 week's holidays. She
had accrued 12 weeks' notice and she is entitled to the following sums:-

1. A redundancy payment £6718.14 (£231.66 x 29)
2. Pay in lieu of notice £2779.92 (12 x £231.66)
- 25 3. Accrued holiday payoff six weeks £1389.96 (£231.66 x 6)

Mrs Kelly Barclay

7. Mrs Barclay worked 30 hours at £8.91 per hour. She was 32 years old at the
30 date of her termination. She had twenty years' service. Her date of birth was

28 May 1989. She was entitled to 6 weeks' holidays and 12 weeks' notice. She had 13 years full service. She is entitled to the following sums:-

1. A redundancy payment £3608.55 ($£267.30 \times 13.5$)
- 5 2. Pay in lieu of notice £2779.92 ($£267.30 \times 12$)
3. Accrued Holiday Pay £1608.80 ($£267.30 \times 6$)

Ms Chloe Murray

- 10 8. Ms Murray worked with the business from 31 October 2017 to 28 May 2021. Her date of birth was the 5 April 2001. She was 20 years old at the date of termination of her employment. She was a trainee early years practitioner. She was entitled to 3 weeks' notice. She had accrued 6 weeks' holiday at the date of termination of her employment. She worked 16 hours per week at £8.91 per hour. She is entitled to the following sums:-
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1. A redundancy payment £142.56 ($£142.56 \times 1$)
2. Pay in lieu of notice £285.12 ($£142.56 \times 2$)
3. Accrued holiday pay £855.36 ($£142.56 \times 6$)

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Employment Judge	J Hendry
Date of Judgement	5 November 2021
Date sent to parties	5 November 2021

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