



THE EMPLOYMENT TRIBUNALS

Claimant: Mr W Smith

Respondent: St Cuthberts House Limited

Heard at: Newcastle (by CVP)

On: 31 January 2022

Before: Employment Judge Beever (sitting alone)

Representation:

Claimant: in person

Respondent: not attending

JUDGMENT

1. The claimant's claim of unfair dismissal is well founded and succeeds.
2. The respondent is ordered to pay to the claimant compensation for unfair dismissal of £11,455.18 calculated as follows:
 - 2.1. Basic Award - £1,764
 - 2.2. Compensatory Award - £8,810.18
 - 2.3. Uplift (10%) for failure to comply with ACAS Code in respect of a failure to allow an appeal - £881
3. The Compensatory Award of £8,810.18 is comprised of the following sums:
 - 3.1. £300 as to loss of statutory rights
 - 3.2. loss of basic salary to date of hearing, £8,230.59
 - 3.3. loss of pension benefit to date of hearing, £279.59
4. The tribunal declares that the Prescribed Period for the purpose of the recoupment regulations is 23 June 2021 to 31 January 2022 and the Prescribed Amount is £2,308.42 and the balance of the Compensatory Award of £8,810.18 payable to the claimant is £6,501.76.

Employment Judge Beever

Date 31 January 2022

COVID-19 Provisions

This has been a remote hearing on the papers which has not been objected to by the parties. The form of remote hearing was V: Video by CVP. A face to face hearing was not held because it was not practicable and no-one requested the same.

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