



EMPLOYMENT TRIBUNALS

Claimant: Ms L Tate

Respondents: (1) A Groom With A View Ltd
(2) Ms Lindsey Watson

FINAL HEARING

Heard at: Midlands (East) (in public; via CVP) **On:** 28, 30, 31 March and 4 & 6 April 2022

Before: Employment Judge Camp **Members:** Mr G Edmondson
Mr J Purkis

Appearances

For the claimant: Ms S Hubbard, solicitor

For the respondent: Mr R Clement, counsel

JUDGMENT

- (1) The claimant was unfairly dismissed in accordance with section 100(1)(c) of the Employment Rights Act 1996 (“ERA”).
- (2) If the remedy for unfair dismissal is an award of compensation in accordance with ERA section 112(4), there shall be no reduction to any compensatory award under ERA section 118(1)(b) pursuant to the so-called ‘Polkey principle’ (see Polkey v AE Dayton Services Ltd [1987] UKHL 8; paragraph 54 of Software 2000 Ltd v Andrews [2007] ICR 825).
- (3) The complaints of detriment under ERA section 44(1)(c) designated a and b succeed and those designated c, d and e fail.
- (4) The claimant’s complaints that she was unfairly dismissed in accordance with ERA section 100(1)(e) and that she was subjected to detriments in accordance with ERA section 44(1)(e) are dismissed upon withdrawal, pursuant to rules 51 and 52 of the Rules of Procedure.
- (5) The claimant did not make a relevant protected disclosure and her complaints that she was dismissed and subjected to detriments because she did so therefore fail.
- (6) In light of paragraph (5) immediately above, all complaints against the second respondent, Ms Lindsey Watson, fail.
- (7) In light of the above decision, the parties have agreed confidential terms of settlement and have confirmed that, although the claim is not being withdrawn, it has been resolved and the Tribunal can close its case file.

EMPLOYMENT JUDGE CAMP

06 April 2022

SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

Note: Reasons for paragraphs (1) to (6) above were given orally. Written reasons will not be provided unless asked for by a written request presented by any party within 14 days of the sending of the written record of the decision. All judgments and any written reasons are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimant and respondent.