



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr D Ndulue

**Respondent:** King's College Hospital NHS Foundation Trust

**HEARING** by video

**On:** 10 May 2022

**Before:** EMPLOYMENT JUDGE CORRIGAN  
Sitting Alone

**Representation**

**Claimant:** In person  
**Respondent:** Ms C Ibbotson, Counsel

## JUDGMENT

1. The claimant was unfairly dismissed by the respondent and is awarded £4,685.53 to be paid by the respondent to the claimant.
2. This award consists of

Basic award	£1,672.35
Compensatory award	£3,013.18
3. The compensatory award includes loss of earnings to 22 April 2020 of £1,627.33, pension loss of £225.76 and loss of statutory rights of £557.45 (1 week's gross pay). The compensatory award was uplifted by 25 % to reflect the respondent's failure to follow the ACAS Code of Practice.

4. Recoupment does not apply to this award.
5. The claimant is awarded accrued holiday pay of £579.74 subject to the appropriate deductions for tax and National Insurance.
6. The total to be paid by the respondent to the claimant is £5,265.27 (subject to the tax and National Insurance deductions referred to in respect of the holiday pay).

**Employment Judge Corrigan**

10 May 2022