



EMPLOYMENT TRIBUNALS

Claimant: N Copus

Respondent: Intu Uxbridge

Heard at: Cambridge Employment Tribunal (By CVP)

On: 18 May 2022

Before: Employment Judge Hutchings

Representation

Claimant: in person

Respondent: did not attend the hearing

JUDGMENT ON REMEDY

The judgment of the Tribunal is that the Respondent shall pay to the Claimant (subject to the recoupment order below) compensation for unfair dismissal totalling **£14,624.11**.

This includes a basic award of **£3,019.11**. (1 age multiplier x 6 years full employment x £503.19 gross).

The compensatory award comprises an award for loss of earnings post dismissal of £10,150 (immediate loss of earnings period 9 October 2020 to 3 April 2021) and £400 compensation for loss of statutory rights, both of which are subject to an uplift of 10% for unreasonable failure to follow the ACAS Code of Practice on Disciplinary and Grievance Procedures, giving a total compensatory award of **£11,605**.

Recoupment For the purposes of regulation 4 of the Employment Protection (Recoupment of Benefits) Regulations 1996:

1. The total monetary award is £14,624.11.
2. The prescribed element (i.e. the amount representing loss of earnings) is £10,150.

3. The prescribed period is 9 October 2020 (the date of dismissal) to 3 April 2021 (the date after which no award for loss of earnings has been made).
4. The monetary award exceeds the prescribed element by £4,474.11.

The basic and compensatory awards exceed the potential recoupment figure of £544.76 (£438.55 Universal Credit and £106.21 job seeker's allowance) by **£14,079.35** and that is the amount that the Respondent must pay to the Claimant within 14 days of the sending of this judgment.

In the event of the DWP not recouping the £544.76 from the Respondent, the Respondent will be bound by regulation 8(8) of the 1996 Regulations to pay the balance of the total compensation for unfair dismissal (**£14,624.11**) to the Claimant.

Employment Judge **Hutchings**

18 May 2022

JUDGMENT SENT TO THE PARTIES ON

22 June 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.