



# EMPLOYMENT TRIBUNALS

**Claimant:** A Lonsdale  
**Respondent:** The Barn Childcare Ltd

**Heard at:** Newcastle Upon Tyne      **On:** 27 June 2022–1 July 2022  
(1 July 2022 via CVP)

**Before:** Employment Judge O'Dempsey, Mr Wykes, and Mr Gallagher

## Representation

**Claimant:** Mrs Lonsdale (claimant's mother)  
**Respondent:** Mr Muirhead (solicitor)

# JUDGMENT

1. The claimant's claim for breach of section 15 of the Equality Act 2010 succeeds and it is so declared.
2. The tribunal has no jurisdiction to hear the claimant's claim for breach of section 20 of the Equality Act 2010 as it was presented outside the applicable time limit under that Act, and the claimant's application to extend the time limit is refused as it is not just and equitable to do so.
3. The claimant was an employee of the respondent for the purposes of the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994 and that she was dismissed with an effective date of termination of 19 October 2020, without notice, and accordingly she is entitled to payment of 1 week's notice pay for breach of contract. The respondent is ordered to pay the claimant the agreed sum of £160.03 in respect of this claim
4. The claimant's claim for unlawful deductions from wages under the Employment Rights Act 1996 succeeds and the respondent is ordered to pay to the claimant the sum, agreed between the parties, of holiday pay of £907.37.
5. The claimant's claim for loss of wages arising from the breach of section 15 Equality Act 2010 does not succeed.
6. The claimant's claim for injury to feelings arising from the breach of

section 15 Equality Act 2010, having succeeded, the respondent is ordered to pay to the claimant the sum of £10,000 in respect of damages for injury to feelings for breach of section 15 Equality Act 2010.

7. The respondent is ordered to pay to the claimant interest on the damages for injury to feelings in the agreed sum of £2088.

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Employment Judge **O'Dempsey**

Date 08 July 2022

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.

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