



## EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4112322/2019

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Employment Judge B Campbell

Ms F MacDonald

Claimant

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Openreach Ltd

Respondent

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### JUDGMENT ON RECONSIDERATION

1. Following the respondent's application dated 30 June 2022 for reconsideration of the judgment of the employment tribunal dated 28 June and sent to parties on 29 June 2022, unopposed by the claimant, it is decided that the application be granted.

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2. The above judgment should accordingly be varied so that:

a. Point 2 of the section headed 'Judgment' on page 1 should contain the figure **£9,591.25** rather than £9,991.25.

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b. The following text should be added to the end of paragraph 140 on page 46 as follows:

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*"The award for loss of employment rights should be adjusted in the same way as her compensatory award to reflect the applicability of **Polkey** as well as the respondent's breach of the ACAS Code and her own contributory conduct. The effect of that adjustment, using the same percentages, is to reduce the figure from £500 to £100. Adding this to the compensatory award produces a figure of **£6,047.50**; and*

c. In paragraph 141 on page 46 the figure £9,991.25 should be replaced with **£9,591.25**.

**Employment Judge: B Campbell**  
**Date of Judgment: 12 July 2022**  
**Entered in register: 12 July 2022**

5 **and copied to parties**