

EMPLOYMENT TRIBUNALS

BETWEEN

Claimant Ms Harris Respondent Continuity Healthcare Services Ltd

AND

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT Birmingham

ON

12 – 14 September 2022

EMPLOYMENT JUDGE Harding

MEMBERS Ms Keene Ms Pelter

RepresentationFor the Claimant:Ms Twomey, CounselFor the Respondent:Mr Munro Solicitor

JUDGMENT

The unanimous judgment of the tribunal is that:

1 The claimant's claim of direct race discrimination contrary to sections 13 and 39 of the Equality Act 2010 fails and is dismissed.

2 The claimant's claim of indirect discrimination based on the protected characteristic of race contrary to sections 19 and 39 of the Equality Act 2010 succeeds. The respondent is ordered to pay to the claimant compensation in the sum of £11,980.24, see attached annex.

Note: written reasons will not be provided unless requested at the Hearing itself or in writing within 14 days of the sending of the written record of the decision, Rule 62(3).

3 The claimant's claim of breach of contract (wrongful dismissal) succeeds. No damages are payable otherwise the claimant would benefit from double recovery.

Employment Judge Harding 14 September 2022

ANNEX

Indirect discrimination	
Loss of earnings: agreed figure -	£1,716.29
Injury to feelings	
£10,000 minus £2,000 (reduction to reflect non discriminatory causes of injury to feelings) -	£8,000
Interest	
Injury to feelings	
Number of days between date of discriminatory act and calculation date = $1, 170$	
£8,000 x 8%/365 = daily rate of £1.75	
1,170 days x £1.75 -	£2,047.50
Loss of earnings	
£1, 716.29 x 8%/365 = daily rate of 0.37p	
Mid point 585 days	
585 x 0.37p -	£216.45
Breach of contract	
1 week's net pay No award made – loss of earnings for the discrimination	

claim has been calculated to cover this period.

Case Number: 1307508.19

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