



EMPLOYMENT TRIBUNALS

SITTING AT: LONDON CENTRAL
BEFORE: EMPLOYMENT JUDGE F SPENCER
MEMBERS: MR D SCHOFIELD
MS M REUBY

CLAIMANT MR M SHAH

RESPONDENT HOME OFFICE

ON: 5th September 2022

Appearances:

For the Claimant: Mr J McCabe,
For the Respondent: Mr Mold, counsel.

This hearing was carried out on CVP (Cloud Video Platform). The parties did not object to it being conducted in this way.

JUDGMENT AS TO REMEDY

Following the Tribunal's Judgment as to liability sent to the parties on 10th January 2022 the Judgment of the Tribunal as to remedy is that

- (i) had there been no unfairness in the process leading to dismissal there was a 10% chance that the Claimant would have remained in employment within the civil service; and
- (ii) the Respondent is ordered to pay the Claimant £19,620.77 by way of compensation for unfair dismissal, calculated as follows:

	£
<u>Basic Award</u>	8,662.50

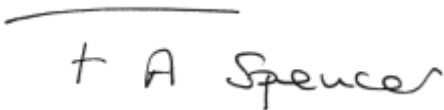
Compensatory Award

Loss of net pay for 34 months (34 x 2,2661.34)	76885.56
Employer pension contributions (34 x 790.86)	26,889.24
Employee pension contributions (34 x 159.05)	5,407.7
Loss of statutory rights	<u>400</u>
Total Loss	109,582.50

X 10% **10,958.25**

Total of basic and compensatory Awards **19,620.75**

- (iii) The Employment Protection (Recoupment of Benefits) Regulations 1996 apply to this award. The grand total of the award is £19,620.75. The prescribed element is £10,958.25. The period of the prescribed element is 26th August 2019 to 20 June 2022. The excess of the grand total over the prescribed element is £8,662.50. The annex to this judgment explains the operation of the Recoupment Regulations.



Employment Judge F Spencer
6th September 2022

JUDGMENT SENT TO THE PARTIES ON

.06/09/2022

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FOR THE TRIBUNAL OFFICE

Note

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.

All judgments, and written reasons for the judgments, if requested, 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