



EMPLOYMENT TRIBUNALS

Claimant: Ms D Mason

Respondent: Jigsaw Homecare Ltd

Heard at: Nottingham **On:** 7 September 2022

Before: Employment Judge Varnam

Representation

Claimant: In person

Respondent: No appearance or representation

JUDGMENT

1. The Claimant was unfairly dismissed by the Respondent.
2. In respect of the unfair dismissal, the Respondent is ordered to pay to the Claimant the sum of **£5,214.69**. This sum consists of the following elements:
 - (1) Basic Award: £2,492.28.
 - (2) Compensatory award: £2,722.41,¹ which itself consists of:
 - (i) Loss of earnings up to the date of the final hearing: £1,898.95.
 - (ii) Future loss of earnings: £323.46.
 - (iii) Loss of statutory rights: £500.00.
3. The Claimant was wrongfully dismissed by the Respondent, and the Respondent is, in addition to the sum to be paid in respect of the unfair dismissal, ordered to pay to the Claimant the gross sum of **£770.80** as damages for wrongful dismissal.

¹ During the hearing, the Claimant was incorrectly informed that this sum was £2,742.41. On checking the arithmetic it is in fact £2,722.41. As such, the total sum payable by the Respondent is also £20 less than the Claimant was told at the hearing. I apologise to the parties for this error.

4. The Respondent made unlawful deductions from the Claimant's wages by failing to pay statutory sick pay that was payable to her on 24 November 2021. The Respondent is ordered to pay the gross sum of **£423.00** to the Claimant in respect of this deduction.
5. The Respondent failed to make a payment to the Claimant in lieu of eleven days' accrued but untaken annual leave owed to the Claimant upon the termination of her employment. The Respondent is ordered to pay the gross sum of **£456.94** to the Claimant in respect of this deduction.
6. The total sum payable by the Respondent in respect of all claims is **£6,865.43**.
7. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply. Pursuant to regulation 4 of the said regulations, it is certified that:
 - (1) The total monetary award is £6,865.43.
 - (2) The amount of the prescribed element is £1,885.95.
 - (3) The period to which the prescribed element is applicable is 20 January 2022 to 7 September 2022.
 - (4) The amount by which the total monetary award exceeds the prescribed element is £4,979.48.

The attached Recoupment Annex explains the operation of the recoupment regulations.

Employment Judge **Varnam**

7 September 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.

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.