



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Miss Poppy Hedges-Staines

v

CF Social Work Limited

Heard at: Cambridge (by CVP)

On: 8, 9, 10 August 2022

Before: Employment Judge M Ord

Members: Mr R Allan and Mr Chinn-Shaw

Appearances

For the Claimants: In person

For the Respondent: Mr S Hoyle, Employment Consultant

JUDGMENT on REMEDY

1. At the end of the Final Hearing, the Tribunal offered the Claimant the opportunity to take some time to consider whether or not she wished to proceed to deal with Remedy today, bearing in mind the degree to which she had succeeded in her claim.
2. On behalf of the Respondent, Mr Hoyle was anxious to proceed to conclude matters today and after taking some time, at her request, to consider what to do, the Claimant asked to proceed.
3. The Claimant was the victim of a single act of discrimination. When telling the Respondent that she was pregnant, the reply from Ms Finlayson was
“Poppy we’ve only just put you on a contract”.
4. At this time the Claimant was at the very early stages of her pregnancy. She advised her employer at the very first opportunity and before even telling family members, because of the early stages of pregnancy and concerns that matters might not proceed satisfactory.
5. In her words the reply, *“put a downer”* on her happiness at her pregnancy.

6. The Claimant, it is right to say, continued to work without further complaint until the issue of this statement was raised during her appeal against dismissal.
7. It is right to point out that there was no opportunity for her to raise the matter during the dismissal process because the Claimant was simply called to a meeting without explaining what it was for (simply to “*discuss her contract*”) without being warned that it could result in the termination of her employment and without her being given the opportunity to either prepare for the meeting, or to have a representative with her.
8. The Claimant did raise the matter and she exercised her right of appeal against the dismissal, but the Appeal Officer failed to investigate the matter properly, if at all and neither at the Appeal Hearing nor in the letter setting out the outcome of the Claimant’s Appeal is the matter referred to at all.
9. Given the timing (in relation to the Claimant becoming only recently pregnant) the act of unfavourable treatment, the nature of the comment which we have found was motivated by frustration that a recently appointed employee would be unable to carry out her full duties and would thereafter be taking a period of maternity leave, and the failure to deal adequately with the Claimant’s complaint about the comment when it was raised as part of her appeal against dismissal.
10. We have considered the appropriate award for injury to feelings to be in the middle section of the lower band of the “Vento” bands and award the Claimant the sum of **£4.500**.
11. We do not accept Mr Hoyle’s submission that the appeal process (by which time the Claimant was not an employee) is so separate from the Claimant’s employment that we should disregard it.
12. The Claimant is entitled interest on her award at the rate of 8% from the date of the act of discrimination (6 November 2020) up to today (10 August 2022). That is a period of 643 days. The appropriate rate is 8% and the amount of interest is **£634.19**.

3 October 2022

Employment Judge M Ord

Sent to the parties on: 6/10/2022

N Gotecha

For the Tribunal Office