



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs M Knight

**Respondent:** Kingston upon Hull City Council

**Heard:** In Leeds, by CVP      **On:** 27 and 28 October 2022

**Before:**

Employment Judge JM Wade  
Mr D Wilks

**Representation**

Claimant: In person  
Respondent: Mr R Quickfall, Counsel

## REMEDY JUDGMENT

### Introduction

The claimant's unfair dismissal complaint succeeded, as did particular Equality Act allegations. The Tribunal's decisions are fully set out in our reserved liability judgment. The following remedy decisions are the unanimous decision of the Tribunal having heard further from the parties:

#### Re-Engagement Order (Section 115 of the Employment Rights Act 1996)

- 1 The respondent shall by no later than **11 November 2022** re-engage the claimant to a further 16 hours of her post as Principal Member Support Officer, on the same terms as those which apply to the 21 hour post she currently holds (pro rata).
- 2 The respondent shall further pay to her the net sum of £22789.99<sup>1</sup>, reflecting arrears of pay which the claimant could reasonably have expected to have had but for the dismissal.
- 3 The respondent shall further restore to the claimant any associated

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<sup>1</sup> The Tribunal announced to the parties the figure of £23,782.95, having used the respondent's calculation on page C26 of £38,474.73. From this the Tribunal deducted its estimation of net arrears July-October 2022, and a payment to the claimant of £9561.82. The Tribunal made no deduction in respect of the claimant's celebrant earnings given the costs of securing this work. Equally the Tribunal gives no compensation for those costs in the Equality Act award because the claimant may continue to derive benefit from the qualification in the future and could have secured work without that cost. The claimant sought to ask in the hearing whether the figures on C26 were for a 21 hour post (rather than a 19 hour post) and the respondent sent a spreadsheet giving the precise figures on 1 November 2022. That spreadsheet has enabled this Order to reflect our precise findings. The Tribunal let the parties know in the hearing that this written Judgment as to the calculation of sums may differ if we had fallen into error.

employment/pension benefits consequent on the Re-Engagement and arrears of pay Orders.

4 For the avoidance of doubt the claimant shall be treated as if she had continuous employment in a further 19 hour Grade 10 post from 8 May 2020 until the date of compliance with the Re-Engagement Order, subject to the period from 1 July 2022 to the date of compliance being treated as a period of unpaid employment (the claimant having unreasonably rejected an offer of re-engagement made on 16 June 2022).

Equality Act Orders

5 The Tribunal makes no recommendations.

6 The Tribunal awards £12,000 by way of injury to feelings and £2400 in interest thereon.

7 The Tribunal awards £1000 by way of aggravated damages and £100 by way of interest thereon.

8 The Tribunal awards £911.60<sup>2</sup> by way of interest on the mid point of the claimant's arrears of pay (£11, 394.96).

9 The recoupment regulations do not apply to these Awards.

JM Wade  
Employment Judge Wade

Date 2 November 2022

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<sup>2</sup> The Tribunal announced £951.32 as the interest on the sum in footnote 1 – this too is corrected.