



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs B Bennett

**Respondent:** City of Bradford Metropolitan District Council

**On:** 8 November 2022

**Before:** Employment Judge McAvoy Newns  
Ms N Downey, Lay Member  
Mr K Lannaman, Lay Member

**Heard at:** Leeds Employment Tribunal (via CVP)

**Appearances:**

**For the Claimant:** In person

**For the Respondent:** Ms R Wilson, Solicitor – In-house

## JUDGMENT ON REMEDY

The **UNANIMOUS** judgment of the Tribunal is that:

1. The Respondent did unreasonably fail to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures. It is just and equitable to increase the compensatory award by 7.5%.
2. The Claimant should be awarded compensation of **£35,208.46**. This comprises a basic award of **£14,144** and a compensatory award of **£21,064.46**. The compensatory award comprises:
  - a. £19,094.85 for immediate loss of earnings;
  - b. £500 for loss of statutory rights; and

- c. £1,469.61 as a result of the Respondent's unreasonable failure to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures.
3. These are gross sums and the Claimant is responsible for the payment of any income tax and/or national insurance contributions that may be due on them.
4. During the hearing, the Tribunal suggested that this sum would need to be grossed up. On reflection, this is not necessary given that the compensatory award does not exceed £30,000.
5. The Recoupment Provisions do not apply.

**Employment Judge McAvoy News**

**18 November 2022**

Note: as reasons for the judgment have 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 reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.