



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss D Mattinson  
**Respondent:** Dr A Milner t/a Anlaby Surgery  
**On:** 10 and 11 November 2022  
**Before:** Employment Judge McAvoy Newns  
**Heard at:** Leeds Employment Tribunal (via CVP)

**Appearances:**

**For the Claimant:** Ms L Dawson, Counsel  
**For the Respondent:** Mr A Williams, Solicitor

## JUDGMENT

1. The Claimant has been unfairly dismissed contrary to section 98 of the Employment Rights Act 1996. This claim is well-founded and succeeds.
2. No Polkey reduction shall be made.
3. The Respondent did not unreasonably fail to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures. No uplift shall be made.
4. The Claimant's claim for breach of contract pursuant to the Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994/1623 is not well-founded and is dismissed.
5. The Claimant is entitled to a basic award of **£3,264**.
6. The Claimant is entitled to a compensatory award of **£21,176.23**.

7. 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.
8. The Recoupment Provisions apply.

The Prescribed Element is £17,078.43

The Prescribed Period is 20 January 2022 and 11 November 2022

The total award is £24,440.23

The excess of total award over the prescribed element is £7,361.80

**Employment Judge McAvoy News**

**16 November 2022**