



EMPLOYMENT TRIBUNALS

Claimant: Ms C Mason

Respondent: (1) Northwood Dulwich Limited
(2) Mr S Williams

Held at: Croydon Employment Tribunal **On:** 21 and 22 March
2023

Before: Employment Judge Barker
Ms C Edwards
Mr A Scott

Representation:

Claimant: In person

Respondents: In person via Mr Williams, director

JUDGMENT

The unanimous judgment of the Tribunal is as follows:

- a. The claimant's claim of automatic unfair dismissal by reason of pregnancy and maternity (s99 Employment Rights Act 1996) fails and is dismissed. The claimant was unfairly dismissed by the first respondent contrary to s98 Employment Rights Act 1996 in that the respondent failed to inform and consult with the claimant in relation to her redundancy. The first respondent also failed to pay the claimant a redundancy payment. The award of compensation for unfair dismissal, is calculated as follows:
 - i. A basic award of £1442.30
 - ii. No compensatory award or award for loss of statutory rights is payable as the claimant would have been fairly dismissed in any event had a fair procedure been followed, and on the same date.
- b. The claimant was unfavourably treated because of her maternity leave (s18 Equality Act 2010) in that the respondents failed to consult with her

about her redundancy and failed to keep in touch with her while on maternity leave. The Tribunal assesses that her award for injury to feelings is £4,000, to be paid on a joint and several basis by both respondents.

The Recoupment Regulations do not apply to this judgment and award of compensation.

Employment Judge Barker

22 March 2023