



EMPLOYMENT TRIBUNALS

Claimants: Ms Ellena Godfrey

Respondent: Dr Caerwyn Ash

Heard at: Cardiff Employment Tribunal, by video **On:** 27 March 2023

Before: Employment Judge N Webb

Representation

For the Claimant: Mr Cowley

For the Respondent: Did not attend

JUDGMENT

1. The Claimant was not unfairly dismissed, the claim under section 111 of the Employment Rights Act 1996 is not well founded.
2. The Claimant was not wrongfully dismissed.
3. The Respondent made unauthorised deductions from the wages of the Claimant, the claim under section 23 of the Employment Rights Act 1996 is well founded.
4. The Claimant was not paid anything for the 8 weeks she was employed. Her weekly wage was £480.77 gross. The Claimant should have been paid £3486.16 gross.
5. The Respondent did not pay the full amount to the Claimant for her accrued holiday at the end of her contract. The Claimant's complaint under regulation 30(1)(b) of the Working Time Regulations 1998 is well founded.
6. The Respondent paid the claimant nothing for her accrued holiday pay.
7. The Claimant was entitled to a total of £415.67 gross for accrued holiday calculated as follows:
4.3 days leave @ £96.15 = £415.67 gross.
8. The Respondent did not discriminate against the Claimant. There was no contravention of section 39 of the Equality Act 2010.
9. The Respondent did harass the Claimant, there was a contravention of section 40 of

the Equality Act 2010.

10. The Claimant is awarded damages for injury to her feelings. This is a serious case and the middle Vento band is appropriate. I award £15000.00.
11. I have considered if it is appropriate to award interest on the damages for injury to feeling and I consider it is right to do so. Interest is awarded from the date of resignation until the date of the hearing at the annual rate of 8%. I award £989.59 in interest.
12. The Respondent is ordered to pay the claimant £19891.42.

Employment Judge N Webb

Date: 27 March 2023

JUDGMENT SENT TO THE PARTIES ON 4 April 2023

FOR THE TRIBUNAL OFFICE Mr N Roche

Notes

Reasons for the judgment having 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.

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