



EMPLOYMENT TRIBUNALS

COVID-19 Statement on behalf of Sir Keith Lindblom, Senior President of Tribunals

“This has been a hybrid hearing to accommodate the available judicial resource at the liability stage.”

Claimant

Mr M Harding

v

Respondent

Bright Horizons Family Solutions
Limited

Heard at: Reading (hybrid hearing)

On: 2 February 2023

Before: Employment Judge George

Members: Mr B McSweeney and Ms S Blunden (both remotely, by CVP)

Appearances

For the Claimant:

Mr D Gray-Jones, counsel

For the Respondent:

Ms N Gyane, counsel

JUDGMENT

1. The respondent shall pay to the claimant compensation in respect of the successful claims calculated as follows:

Unfair Dismissal

Basic award	2,730.47	2,730.47
Loss of statutory rights:	400.00	400.00

s.38 Employment Act 2002

840.14	840.14
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Sex discrimination and victimisation

Injury to feelings	19,000.00	19,000.00
Loss of earnings flowing from the unlawful acts @ £332.02 net p.w.		
Loss of pension contributions @ £12.60 p.w.		

16 weeks @ £344.62 (w/e 8.2.19 to w/e 22.2.19)	5,513.92	
LESS earnings 05.02.21 – 06.02.21	(128.00)	
LESS JSA	(1,487.00)	
Total financial loss (before interest)	3,898.90	<u>3,898.90</u>
Total of awards excluding Basic Award		24,139.06 24,139.06
ACAS uplift 5%		<u>1,206.95</u> 1,206.95
Interest on £19,000 @ 8% from 26.06.2020 to 02.02.2023 (952 days)		4,160.24
Interest on financial loss from 12.12.20 to 02.02.23 @ 8%		696.87
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Total compensation subject to grossing up to take account of the incidence of income tax		32,933.59
Excess of total compensation over £30,000	2,933.59	
Grossing up at an assumed marginal rate of tax in y/e 05.04.23 of 20% (£2,933.59 X 100/80) - £2,933.59		733.40
Total Sum Payable		33,666.99

2. No separate award is made in respect of the breach of contract claim because the losses are covered by the award of loss of earnings caused by the acts of discrimination and/or victimisation.
3. The respondent is to pay to the claimant costs in the sum of £1,250 plus VAT.
4. This judgment is to take effect 14 days after the date it is sent to the parties.

Employment Judge George

Date: 21 March 2023

Sent to the parties on: 4 April 2023

For the Tribunal Office

Note

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.