



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Keith Spencer

**Respondent:** Fylde Coast Advice and Legal Centre Ltd

**HELD AT:** Manchester (CVP) **ON:** 24 April 2023

**BEFORE:** Employment Judge Ficklin

## REPRESENTATION:

**Claimant:** In person

**Respondent:** Dr R Heywood

The JUDGMENT of the Tribunal is:

1. The total award of £8,532.00 made to the claimant in this matter in Employment Judge Klimov's judgment dated 31 January 2023 consisting of unpaid salary (£7,164.00), accrued holiday pay (£432.00) and unpaid pension contribution (£936.00) shall be subject to a 20% uplift because the respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures. The respondent is ordered to pay the claimant an additional £1706.40 on that basis.
2. I make a preparation time order in the claimant's favour for the final hearing that took on 31 January 2023. The respondent is ordered to pay the claimant £126 on the basis of three hours' preparation time at £42 per hour.
3. The respondent is ordered to pay the claimant £1832.40, in addition to the amounts set out in Employment Judge Klimov's judgment dated 31 January 2023.

Employment Judge Ficklin

Employment Judge Ficklin  
24 April 2023

JUDGEMENT SENT TO THE PARTIES ON  
27 April 2023

**FOR THE SECRETARY OF THE TRIBUNALS**

**Notes:**

- (1) This judgment follows a “CVP” hearing that took place on a remote video platform. Neither party objected to the format of the hearing.
- (2) Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date on which this judgment is sent to the parties. If written reasons are provided, they will be entered onto the tribunal’s online register, which is visible to internet searches.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2405886/2022**

Name of case: **Mr K Spencer** v **Fylde Coast Advice and  
Legal Centre Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

**the relevant decision day** in this case is: 27 April 2023

**the calculation day** in this case is: 28 April 2023

**the stipulated rate of interest** is: **8% per annum**.

Mr S Artingstall  
For the Employment Tribunal Office

## GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:  
[www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426](http://www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426)

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.

