



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms O King

**Respondent:** Guy's And St Thomas' NHS Foundation Trust

## CONSENT ORDER

Employment Tribunals Rules of Procedure 2013

UPON THE APPLICATION of the Parties

BY CONSENT IT IS ORDERED THAT:

(1) The Respondent shall pay to the Claimant's Representative within 28 days of the date of this Order the sum of **£32,056.58** (subject to deductions as set out in paragraph 2 below) in respect of remedy for the Claimant's unfair dismissal following the Employment Tribunal's liability judgment issued on 11 November 2022 ("the Sum"), calculated as follows:

- a. In respect of the basic award, £10,983.49, which after a 50% reduction (as per the Tribunal's judgment) amounts to **£5,491.75**; and
- b. In respect of the compensatory award, **£26,564.83**, being the statutory cap of 52 weeks' gross pay.

(2) The parties agree that the following tax arrangements apply in respect of the Sum:

- a. The Respondent's payroll team, using its reasonable endeavors, shall calculate the amount of the Sum which is Post-Employment Notice Pay, and is taxable as earnings. The Respondent shall promptly notify the Claimant of the amount and will deduct tax and employee's national insurance from it at the appropriate rate prior to making payment of the Sum.

- b. The parties understand the next £30,000 of the Sum (or such lesser sum as is payable) will be tax free as a termination award under the threshold within the meaning of sections 402A(1) and 403 of the Income Tax (Earnings and Pensions) Act 2003 ("ITEPA"). The balance of the Sum (if any) will be taxable as a termination award exceeding the threshold within the meaning of sections 402A(1) and 403 of ITEPA. The Respondent shall accordingly deduct income tax from it at the appropriate rate.

(3) The hearing listed for **28 July 2023** is vacated.

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Employment Judge Wright  
Date: 6 July 2023