



EMPLOYMENT TRIBUNALS

Claimant : Ms J Shirlaw
Respondent: Ascendant Leisure Properties
Heard at: Watford Tribunal Hearing Centre (via CVP)
On: 10th July 2023
Before: Employment Judge S Iqbal

Representation

Claimant: In Person
Respondent: Mr Hammond (Director of Respondent Company)

This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was V by Cloud Video Platform. A face to face hearing was not held because the relevant matters could be determined in a remote hearing.

JUDGMENT

The judgment of the Tribunal is that:-

1. The Respondent is ordered to pay compensation to the Claimant for unfair dismissal in accordance with the Schedule below (a total sum of **£4,864**).
2. The Respondent unreasonably failed to comply with the ACAS Code of Practice in relation to disciplinary and grievance and consequently the award due to be paid to the Claimant is uplifted by 18%.
3. The claimant's remedy for accrued but untaken and unpaid holiday pay is **£733**.
4. **The total award that the respondent must pay the claimant, to discharge liability for all of the claims, is £5,597.**

Schedule

1. The claimant's remedy for unfair dismissal is:-
 - i. Basic Award - **£733**
 - ii. Compensatory Award – **£4,131***
2. Consequently, the respondent must pay to the Claimant **£4,864**.
3. **Explanation of compensatory award:*
 - i. *£3006.25 in respect of loss of earnings - 10 weeks' net pay (£1,302.71 (net monthly to include pension contributions) x12/52) loss of earnings being the number of weeks between from the date of dismissal to the date at the very least when there was some employment available (9th August 2021 – 19th October 2021);*
 - ii. *£94.60 in respect of loss of pension rights for 10 weeks*
 - iii. *£400 in respect of lost statutory rights.*
 - iv. *PLUS an uplift of 18% following the Respondents' unreasonable failure to follow ACAS Code of Practice;*
4. The Respondent is ordered to pay the above sums to the Claimant. The Recoupment Regulations do not apply.

Employment Judge Iqbal

Dated: 10th July 2023

JUDGMENT SENT TO THE PARTIES ON

Date: 23/8/2023

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