



EMPLOYMENT TRIBUNALS

Claimant: Ms Adelaide Adjei
Respondent: MiHomecare Ltd
Heard at: Watford Employment Tribunal
On: 11 & 14 August 2023
Before: Employment Judge Young
Members Ms L Jaffi
Ms B Von-Maydell-Koch

Representation

Claimant: Mr Larbi (brother in law)
Respondent: Mr Jackson (Counsel)

REMEDY JUDGMENT

It is the unanimous judgment of the Tribunal:

1. It was not practicable to make an order for reinstatement under s. 114 ERA.
2. It was not practicable to make an order for re-engagement under s.115 ERA.
3. The Claimant's conduct contributed to her dismissal and pursuant to s. 122 (2) ERA, the Claimant's basic award is reduced by 100%.
4. It is just and equitable to reduce the Claimant's compensatory award by 100% pursuant to s. 123(6) ERA.
5. Had the Respondent followed a fair procedure, the Claimant would have been dismissed in any event, and the Tribunal makes a reduction from the compensatory award of 100% pursuant to the principles in Polkey v AE Dayton Services [1987] IRLR 503 HL

Employment Judge Young

Date 16 August 2023_____

JUDGMENT SENT TO THE PARTIES ON

20/9/2023

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FOR THE TRIBUNAL OFFICE

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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