



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs Pye

**Respondent:** Bolton Cares (A) Limited

**Heard at:** Manchester  
(by CVP, heard remotely)

**On:** 14 September 2023

**Before:** Employment Judge Ross

## REPRESENTATION:

**Claimant:** Mr Starcevic, Counsel

**Respondent:** Ms Clayton, Counsel

# REMEDY JUDGMENT

The judgment of the Tribunal is that:

1. The claimant is entitled to a basic award in the sum of £12,691.20.
2. The claimant is entitled to a compensatory award which includes a 10% reduction for principle in Polkey -v- A E Dayton Services Limited in the sum of £23,317.96. There is no reduction for failure to mitigate loss.
3. The claimant is entitled to a notice payment, payable gross in the sum of £3,587.38 (it is accepted that the respondent will make the usual deduction for tax and national insurance from that gross figure).
4. Interest will accrue on the above payment in accordance with the Employment Tribunals (Interest) Order 1990 479, Article 3 implemented by the Employment Tribunals (Interest) Order (amendment) Order 2013. Interest begins to accrue on the day after the remedy decision at the applicable rate of interest of 8%, (unless paid within 14 days of Judgment.)

5. The requirement to make the payment to the claimant by the respondent is stayed, pending the outcome of the respondent's appeal to the Employment Appeal Tribunal.

Employment Judge Ross

18 September 2023

JUDGMENT SENT TO THE PARTIES ON

21 September 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.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

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

Case number: **2406711/2022**

Name of case: **Mrs S Pye** v **Bolton Cares (A) Limited**

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: 21 September 2023

**the calculation day** in this case is: 22 September 2023

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

For the Employment Tribunal Office