



# EMPLOYMENT TRIBUNALS

**First Claimant:** Mrs W Roberts

**Second Claimant:** Ms E Sumner

**Third Claimant:** Mrs K Tomlinson

**First Respondent:** Prime Care (UK) Ltd t/a Sylvan Home Care Service

**Second Respondent:** Mr G Borkhatria

**HELD AT:** Liverpool **ON:** 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup>  
October 2023

**BEFORE:** Employment Judge Anderson  
Mr Williamson  
Mr Dobson

## REPRESENTATION:

**Claimants:** Mr Effiong (Lay Representative)

**Respondents:** Mr Ridgeway (Employment Law Advocate)

# JUDGMENT

1. All claims of post employment victimisation are dismissed on withdrawal.
2. All claims against the Second Respondent are dismissed on withdrawal.
3. In respect of the First Claimant
  - a. The Respondent unfairly dismissed the First Claimant.

- b. The First Respondent is ordered to pay the Claimant the sum of £3854.25 in respect of a basic award. No compensatory award is payable.
  - c. The First Claimant was wrongfully dismissed. No damages are payable in respect of that wrongful dismissal.
4. The Second Claimant's complaint of constructive unfair dismissal is not well founded and is dismissed.
  5. The Third Claimant's complaint of constructive unfair dismissal is not well founded and is dismissed.

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Employment Judge Anderson

26<sup>th</sup> October 2023

JUDGMENT SENT TO THE PARTIES ON

3 November 2023

FOR THE TRIBUNAL OFFICE

Notes

1. 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.
2. 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: 2410177/2022

Name of case: Mrs W Roberts v 1. PrimeCare (UK)  
Limited  
2. Mr G Borkhatria

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: 3 November 2023

**the calculation day** in this case is: 4 November 2023

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

For the Employment Tribunal Office