



EMPLOYMENT TRIBUNALS

Claimant: Mrs Lauren McBride

Respondent: MSP Legal Services LLP

HELD AT: Newcastle Employment Tribunal (By CVP) **ON:** 7 November 2023

BEFORE: EJ McCluskey

REPRESENTATION:

Claimant: In person

Respondent: Not present; not represented

JUDGMENT

The judgment of the Tribunal is as follows

Redundancy Payment

1. Under section 163 Employment Rights Act 1996 it is determined that the claimant is entitled to a redundancy payment of **£769.08** (£384.54 x2).

Notice Pay

2. The complaint of breach of contract in relation to notice pay is well-founded.
3. The respondent shall pay the claimant **£769.08** (£384.54 x2) as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.

Holiday Pay

4. The complaint in respect of holiday pay is well-founded. The respondent was in breach of contract in failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.

5. The respondent shall pay the claimant **£769.08 (10 days)** as damages for breach of contract. The claimant is responsible for paying any tax or National Insurance.

Unfair Dismissal

6. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
7. The respondent shall pay the claimant a compensatory award of **£3,230.14** (8 weeks, 2 days). The claimant is responsible for paying any tax or National Insurance.
8. The respondent shall pay the claimant **£300** for loss of statutory rights.
9. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply:
 - a. The total monetary award payable to the claimant is £5,837.38
 - b. The prescribed element is £3,230.14
 - c. The period of the prescribed element is from 5 April 2023 to 7 November 2023.
 - d. The difference between (a) and (b) is £2,607.24

Wages

10. There being no other sums claimed by the claimant, the unauthorised deduction from wages complaint is dismissed.

J McCluskey

Employment Judge

Date: 7 November 2023

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.

Public access to employment tribunal decisions

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

10.2 Judgment - rule 61
February 2018