



EMPLOYMENT TRIBUNALS

Claimant: Ms S Sandhu

Respondent: Textile Enterprises Limited

Heard at: Leicester Hearing Centre, 5a New Walk, Leicester, LE1 6TE

On: 30 October 2023

Before: Employment Judge Adkinson sitting alone

Appearances

For the claimant: Mr Gray-Jones, Counsel

For the respondent: Ms Suleman, Solicitor

JUDGMENT

UPON hearing from Counsel for the Claimant and Solicitor for the respondent, and upon noting the claimant's request for written reasons (which will follow in due course) IT IS THE TRIBUNAL'S JUDGMENT that

1. The respondent unfairly dismissed the claimant;
2. The respondent breached the ACAS Code of Practice 1 and so the compensatory award should be uplifted by 25%;
3. The claimant's basic and compensatory award should be reduced however by 75% to reflect her own contributory fault;
4. The respondent must therefore pay to the claimant the sum of £3,376.89 calculated as follows:
 - 4.1. Basic award of £1,015.40;
 - 4.2. Compensatory award of £12,492.17 which consists of
 - 4.2.1. For loss of statutory rights, £400;
 - 4.2.2. For loss of earnings for the period 13 January 2023 to 27 October 2023, £9,594.17, calculated as follows:
 - 4.2.2.1. the sum of £10,249.18 for loss of earnings;
 - 4.2.2.2. the further sum of £208.15 for loss of earnings in the form of pension contributions;

- 4.2.2.3. less mitigation of loss of earnings, £863.16;
- 4.3. An uplift for non-compliance with the ACAS code of practice on the compensatory award, £2,498;
- 4.4. Less a reduction of £10,130.68, being 75% the total of the basic award of £1015.40 and compensatory award of £12,492.17 (£13,507.57) to reflect contributory fault.

For the purposes the recoupment provisions only

Total award	£3,376.89
Prescribed element	£2,998.18
(total loss of earnings, multiplied by ACAS uplift, then reduced by contributory fault)	
Prescribed period	13 January 2023 to 27 October 2023
Balance	£378.31

Employment Judge Adkinson

Date: 30 October 2023

JUDGMENT SENT TO THE PARTIES ON

...13thNovember 2023...

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FOR THE TRIBUNAL OFFICE

Notes

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.