



EMPLOYMENT TRIBUNALS

Claimant: Miss I Chiwera

Respondent: Compassion First Care Limited

Heard at: Birmingham ET hybrid **on:** 20.11.2023 to 23.11.2023 (5 days).

Before: Employment Judge Mensah
Mrs D Rance
Mr D Falconbridge

Appearances

For the claimant: In person

For the respondent: In person

JUDGMENT

1. The Tribunal gave oral judgment on the last day of the hearing. This gave the parties full reasons why the decision was made. The Tribunal orders are as follows:
 - (i) The Claimants claim for Unfair Dismissal is made out to the extent set out in our judgment, and the Tribunal award:
 - (a) Basic £350 gross (2 full years X 2 weeks gross pay at £175 per week)
 - (b) Compensatory £1400 gross (2 months from EDT for loss of wages at £700 gross per month). The Claimant has since mitigated and earned more than she did with the Respondent.
 - (c) Future (None on the evidence)
 - (d) Uplift 25% for the failure of the Respondent to follow any disciplinary/grievance procedure £350.
 - (ii) The Claimant's claim for untaken holiday on termination of her employment is made out. The Tribunal award £385 (11 days untaken and accrued holidays for the leave year 1 January 2020 to EDT)
 - (iii) The Claimant's claim for notice pay is made out. The Tribunal award £700 gross. (1 month notice).

- (iv) The Claimant's claim for Protective Disclosure/detriment is not made out and is dismissed.
- (v) The Claimant's claim for unauthorised deductions of wages is not made out and is dismissed.
- (vi) The Claimant's claim for breach of contract is not made out and is dismissed.
- (vii) The Tribunal award £500 for loss of statutory rights.
- (viii) The Tribunal award 4 weeks' pay for the failure to provide statement of particulars to the Claimant. £700 gross.

Total: £4385.00 gross

Employment Judge **Mensah**

Date 24.11.2023

¹ Reasons for the judgment having been given orally at the hearing, written reasons of those given orally 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. If written reasons are requested the judgment with the reasons will also be published as a public document.

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