

EMPLOYMENT TRIBUNALS

Claimants

Respondent

1. Ms J Phillips

Bridge Medical Solutions Ltd

2. Mrs C Gosling

Heard at: Leeds Employment Tribunal

On: 23, 24 November 2023

Before: Employment Judge Davies

Appearances

For the Claimants: In person

For the Respondent: Ms McIntosh (Croner)

JUDGMENT

- 1. The Second Claimant's complaint of unauthorised deduction from wages/failure to pay for accrued holiday pay is dismissed on withdrawal by her.
- 2. Both Claimants' complaints of being automatically unfairly dismissed for making protected disclosures are well-founded and succeed.
- 3. The chance that the Claimants would have been fairly dismissed in any event is nil.
- 4. The Respondent shall pay the First Claimant a basic award of £900.84.
- 5. The Respondent shall pay the First Claimant a compensatory award of £14,640.08.
- The Respondent shall pay the Second Claimant a basic award of £856.50.
- 7. The Respondent shall pay the Second Claimant a compensatory award of £10,889.58.
- 8. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply.
 - 8.1 For the First Claimant, the total monetary award payable is £15,540.92. The prescribed element is £11,824.68. The period of the prescribed element is 30 January 2023 to 24 November 2023. The difference between the total monetary award and the prescribed element is £3716.24.
 - 8.2 For the Second Claimant, the total monetary award payable is £11,746.08. The prescribed element is £10,889.58. The period of the prescribed element is 30 January 2023 to 24 November 2023. The

difference between the total monetary award and the prescribed element is £856.50.

9. The effect of the Recoupment Regulations is that the Secretary of State may recoup the Universal Credit or the additional Universal Credit paid to the Claimants prior to the hearing (or the prescribed element if less) by serving a recoupment notice on the Respondent within 21 days of the date this judgment is sent to the parties or as soon as practicable thereafter. The effect of such a notice is that the Respondent must pay the recoupable amount to the Secretary of State and the balance of the prescribed element to the Claimant. The Respondent is not obliged to pay the prescribed element of compensation to the Claimant until the Secretary of State has served a recoupment notice on it, or has notified it in writing that it does not intend to do so.

Employment Judge Davies 24 November 2023



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