



THE EMPLOYMENT TRIBUNAL

SITTING: at London South (by CVP)

BEFORE: Employment Judge Tueje

BETWEEN:

PAOLA DINALLO

Claimant

-and-

WM MORRISON SUPERMARKETS LIMITED

Respondent

ON: 3rd November 2023

Appearances:

For the Claimant: Mr Pearce, solicitor

For the Respondent: Ms Wheeler, counsel

JUDGMENT

1. For the reasons given in the oral judgment at the hearing, the claim for unfair dismissal is well-founded and is allowed.
2. On the Tribunal announcing judgement, the parties agreed the amount of compensation as follows:
 - 2.1 Basic award of £9,216.00.
 - 2.2 Compensatory award of £4,703.00.
 - 2.3 The Respondent is ordered to pay the Claimant an additional uplift assessed at 25% for its unreasonable failure to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015. The amount of the uplift is £3,479.75.
 - 2.4 The Claimant contributed by her conduct to her dismissal to the extent of 25%. Accordingly, the basic and compensatory awards made by the Tribunal will be reduced £3,479.75.

3. Accordingly, the Respondent is ordered to pay to the Claimant compensation of £13,919.00.
4. The Recoupment Regulations apply to the above award as follows:
 - 4.1 The total monetary award made to the Claimant is £13,919.00;
 - 4.2 The prescribed element is £4,703.00;
 - 4.3 The prescribed element is attributable to the period 4th February 2022 to the date of the final hearing being 3rd November 2023;
 - 4.4 The amount by which the total monetary award exceeds the prescribed element is £9,216.00.

Employment Judge Tueje

Date: 29th November 2023