



EMPLOYMENT TRIBUNALS

Claimant: Miss S Bibi
Respondent: The Trustees of Al Madaar (a charity)
Heard at: East London Hearing Centre (By video)
On: 7 December 2023
Before: Employment Judge Crosfill
Members: Ms M Daniels
Mrs J Isherwood

Representation

Claimant: In person
Respondent: Mr Tucker (Chair of the Trustees) in person

JUDGMENT

Assessment of damages for breach of contract (wrongful dismissal)

1. The Tribunal assessed the loss and damage caused by the Respondent's breach of contract by dismissing the Claimant on 3 December 2020 as amounting to £1499.54. The said sum was calculated as follows:
 - a. The Claimant was contracted to work for 9.5 hours per week for 36 weeks of each academic year.
 - b. The Claimant was entitled to an hourly rate of pay of £12.00.
 - c. The Claimant's contract could not have been lawfully terminated until 15 April 2021.
 - d. There are 19 weeks between 3 December 2020 and 15 April 2021.
 - e. The sum due to the Claimant was calculated as being $(9.5 \times £12 \times 36)$ the annual sum $\times (19/52)$ the portion of the year represented by the notice period = £1499.54.

2. The Respondent is ordered to pay the Claimant the sum of **£1499.54**.
3. For the avoidance of doubt this order is in addition to the orders for payment made in the judgment of the Tribunal dated 8 August 2023

Unfair Dismissal – Compensatory Award

4. The Claimant incurred the same loss over the same period as a consequence of her dismissal which the Tribunal have held to be unfair. As the Claimant has been awarded that loss as damages for breach of contract the Tribunal make no separate additional award pursuant to Section 123 of the Employment Rights Act 1996.
5. The Tribunal is satisfied that the Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply to the award made above.

**Employment Judge Crosfill
Dated: 7 December 2023**