



EMPLOYMENT TRIBUNALS

Claimant: G Panoudis

Respondent: Mach Recruitment Limited

HELD AT: Manchester, by video platform

ON: 11 January 2024

BEFORE: Employment Judge Batten (sitting alone)

REPRESENTATION:

For the Claimant: in person

For the Respondent: No attendance

CORRECTED JUDGMENT

The judgment of the Tribunal is that:

1. The claim of unfair dismissal is well-founded. The respondent is ordered to pay to the claimant a basic award in the sum of **£1,404.51** and a compensatory award in the sum of **£15,098.23** which comprises immediate loss of earnings of 11,578.59, together with £500.00 for loss of statutory rights and an uplift of 25%, being £3,019.64, for a complete absence of adherence to the ACAS code of practice;
2. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply as set out in the schedule attached.
3. The respondent failed to give the claimant the required contractual 1 month's notice of the termination of his employment and is ordered to pay the claimant damages in the sum of **£1,672.99** for such default;

4. The respondent has failed to pay the claimant for 20 days' accrued unused holiday entitlement, due at the termination of his employment, and is ordered to pay the claimant the net sum of **£2,231.61**.

REASONS

1. This is a corrected version of the Judgment dated and sent to the parties on 18 January 2024. It is corrected pursuant to rule 69 of the Employment Tribunals Rules of Procedure. In the corrected Judgment, the deletion is shown by striking through text and the insertion of the correct date is shown by underlining text.
2. The correction to the end date of the 'Period of prescribed element' in the Recoupment Schedule to the Judgment is to correct a typographical error in the original judgment.

Employment Judge Batten
11 January 2024

JUDGMENT SENT TO THE PARTIES ON

18 January 2024

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons 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.

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondent

G Panoudis

Mach Recruitment Limited

This recoupment schedule forms part of the Judgment issued as a result of the hearing held on 11 January 2024.

Basic Award:	£1,404.51
Loss of statutory rights:	£500.00
Net loss of earnings to date:	£11,578.59
Future loss of net earnings:	£0.00
Uplift of 25% for breach of ACAS Code:	£3,019.64
<u>Total Award for unfair dismissal:</u>	£16,502.74
<u>Recoupment:-</u>	
Prescribed element:	£10,037.94
Period of prescribed element: from 1 March 2023 to 30 July <u>2023</u> 2024.	
Excess of total award over prescribed element:	£6,464.80

Employment Judge Batten
Dated: 11 January 2024

Claimant: Mr G Panoudis

Respondent: Mach Recruitment Ltd

**ANNEX TO THE JUDGMENT
(MONETARY AWARDS)**

Recoupment of Benefits

The following particulars are given pursuant to the Employment Protection (Recoupment of Benefits) Regulations 1996, SI 1996 No 2349.

The Tribunal has awarded compensation to the claimant, but not all of it should be paid immediately. This is because the Secretary of State has the right to recover (recoup) any jobseeker's allowance, income-related employment and support allowance, universal credit or income support paid to the claimant after dismissal. This will be done by way of a Recoupment Notice, which will be sent to the respondent usually within 21 days after the Tribunal's judgment was sent to the parties.

The Tribunal's judgment states: (a) the total monetary award made to the claimant; (b) an amount called the prescribed element, if any; (c) the dates of the period to which the prescribed element is attributable; and (d) the amount, if any, by which the monetary award exceeds the prescribed element. Only the prescribed element is affected by the Recoupment Notice and that part of the Tribunal's award should not be paid until the Recoupment Notice has been received.

The difference between the monetary award and the prescribed element is payable by the respondent to the claimant immediately.

When the Secretary of State sends the Recoupment Notice, the respondent must pay the amount specified in the Recoupment Notice to the Secretary of State. This amount can never be more than the prescribed element of any monetary award. If the amount is less than the prescribed element, the respondent must pay the balance to the claimant. If the Secretary of State informs the respondent that it is not intended to issue a Recoupment Notice, the respondent must immediately pay the whole of the prescribed element to the claimant.

The claimant will receive a copy of the Recoupment Notice from the Secretary of State. If the claimant disputes the amount in the Recoupment Notice, the claimant must inform the Secretary of State in writing within 21 days. The Tribunal has no power to resolve such disputes, which must be resolved directly between the claimant and the Secretary of State.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2404527/2023**

Name of case: **Mr G Panoudis** v **Mach Recruitment Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 18 January 2024

the calculation day in this case is: 19 January 2024

the stipulated rate of interest is: **8% per annum**.

For the Employment Tribunal Office