



EMPLOYMENT TRIBUNALS

Claimant: Ms S Evans

Respondent: Just One Health and Social Care Ltd.

HELD AT/BY: Mold by CVP **on:** 8th February 2024

BEFORE: Employment Judge T. Vincent Ryan

REPRESENTATION:

Claimant: Mr T Rushton, Counsel

Respondent: Mr M Ramsbottom, Senior Litigation Consultant

REMEDY JUDGMENT

Pursuant to the Reserved Liability Judgment of 13th September 2023, sent to the parties on 15th September 2023 (“the Liability Judgment”), the remedy judgment of the Tribunal is:

1. The Claimant having reasonably mitigated her losses, the period of loss sustained by her in consequence of dismissal, in so far as it is attributable to the action taken by the Respondent, is 12 months, 5th July 2022 – 4th July 2023.
2. The Claimant having been in receipt of welfare benefits, the recoupment provisions shall apply in respect of the said period 5th July 2022 – 4th July 2023.
3. It would not be just and equitable to reduce the Claimant’s Compensatory Award to reflect the risk that she may have been dismissed fairly but for the unfairness found in the Liability Judgment.
4. Any award against the Respondent shall not be subjected to an uplift because of unreasonable failure to follow the ACAS Code of Practice on Disciplinary and Grievance Procedures.
5. Any Basic and Compensatory Awards shall be reduced by 1/3 to reflect the Claimant’s conduct before dismissal.

6. In the light of the above judgments, it is ORDERED, by consent (the parties having agreed quantum), THAT the Respondent shall pay to the Claimant £12,108.02 (which sum is the total payable as expressed net of tax and National Insurance), subject only to Recoupment.

Employment Judge T.V. Ryan

Date: 08.02.24

JUDGMENT SENT TO THE PARTIES ON 12 February 2023

FOR THE TRIBUNAL OFFICE Mr N Roche

Note

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 (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.