



EMPLOYMENT TRIBUNALS

Claimant: Miss F Ahmad

Respondent: Human Relief Foundation

Heard at: Manchester

On: 29 January-2 February
and 5-7 February 2024

Before: Employment Judge Phil Allen
Ms S Howarth
Dr H Vahramian

REPRESENTATION:

Claimant: Ms T Ahari, counsel

Respondent: Ms Y Barlay, consultant

JUDGMENT

The unanimous judgment of the Tribunal is that:

1. The complaint of unfairly dismissal is well-founded and succeeds. The claimant was automatically unfairly dismissed under section 103A of the Employment Rights Act 1996.
2. The complaint of being subjected to detriment for making a protected disclosure is well-founded and succeeds. The claimant was treated detrimentally in the ways alleged as detriments: D1, D2, D3, D4, D7 and D13.
3. The complaint of breach of contract in relation to paying only 80% of salary for the period recorded as furlough is well-founded and succeeds.
4. The complaints that the claimant was subjected to a detriment for making a protected disclosure relying upon the following detriments was not well-founded and is dismissed: D5, D6, D8, D9, D10, D11, D12, D14 and D15.
5. The complaint of direct discrimination because of religion or belief is not well founded and is dismissed.
6. The complaint of indirect disability discrimination is not well founded and is dismissed.

7. The complaint of breach of the duty to make reasonable adjustments is not well founded and is dismissed.
8. The complaint of harassment related to disability is not well-founded and is dismissed.
9. The complaint of direct disability discrimination is dismissed having not been pursued by the claimant.
10. The respondent is ordered to pay the claimant damages for breach of contract of the agreed net sum of **£1,607.16**.
11. The respondent is ordered to pay the claimant an injury to feelings award, awarded as a result of her being subjected to the detriments found for making a protected disclosure, in the sum of **£30,000**.

Employment Judge Phil Allen

7 February 2024

JUDGMENT SENT TO THE PARTIES ON

16 February 2024

FOR THE TRIBUNAL OFFICE

Notes

Reasons for this 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/>



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2400039/2021

Miss F Ahmad v Human Relief Foundation

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 16 February 2024

"the calculation day" is: 17 February 2024

"the stipulated rate of interest" is: **8%**

Mr P Guilfoyle
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/collections/employment-tribunal-forms

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.