



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Owen Curtis Brown

**Respondents:** Duchy Farm Kennels Ltd

## Record of a Remedy Hearing at the Employment Tribunal

**Heard at:** Lincoln                      **Heard on:** 4 October 2023

**Before:** Employment Judge Hutchinson (sitting alone)

### Appearances:

**Claimant:** In person

**Respondent:** No appearance

# JUDGMENT

The Employment Judge gave Judgment as follows:

1. Under section 163 Employment Rights Act 1996 it is determined that the Claimant is entitled to a redundancy payment of **£8,820.00**.
2. The complaint of breach of contract in relation to notice pay is well founded. The Respondent shall pay the Claimant **£4,774.08** as damages for breach of contract.
3. The complaint of unfair dismissal is well founded. The Claimant was unfairly dismissed.

4. The Respondent shall pay the Claimant the followings sums:
  - 4.1. A compensatory award **of £7,625.09.**
5. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply.
  - (a) The total monetary award payable to the Claimant for unfair dismissal is **£7,625.09.**
  - (b) The prescribed element is **£5,600.07.**
  - (c) The period of the prescribed element is from 10 February 2023 to 4 October 2023.
    - (d) The difference between (a) and (b) is **£2,025.02.**
6. The complaint of unauthorised deductions from wages is well founded. The Respondent shall pay the Claimant **£2,940.00 gross.**
7. The complaint in respect of holiday pay is well founded. The Respondent shall pay the Claimant **the sum of £294.00.**
8. When the proceedings were begun the Respondent was in breach of its duty to provide the Claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to 2 weeks gross pay unjust or inequitable. It is just and equitable to make an award of an amount equal to 4 weeks gross pay. In accordance with section 38 Employment Act 2002 the Respondent shall therefore pay the Claimant **£1,960.00.**
9. The total compensation payable by the Respondent to the Claimant is **£26,413.17**

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Employment Judge Hutchinson

Date: 12 October 2023

JUDGMENT SENT TO THE PARTIES ON

....24 November 2023.....

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FOR THE TRIBUNAL OFFICE

**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, or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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