



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 4107148/2023

Hearing held by video in Glasgow on 21 March 2024

Employment Judge M Whitcombe

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Daniel Stephen

Claimant
In person

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The Office Crowd Ltd

Respondent
Did not appear
No response filed

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JUDGMENT ON REMEDY

The claims for unfair dismissal, a statutory redundancy payment and notice pay
25 as damages for breach of contract were all upheld in a prior judgment issued
under rule 21 on 12 January 2024. The judgment of the Tribunal on remedy is
as follows.

- (1) The claimant is entitled to compensation for unfair dismissal as follows:
- 30 a. no basic award, given the effect of section 122(4)(a) ERA 1996
(the claimant is awarded a statutory redundancy payment below);
 - b. a compensatory award, including pension loss, of **£16,102.80**;
 - c. a 25% uplift to the compensatory award under s.207A TULRCA
1992 because of the respondent's unreasonable failure to follow
35 the provisions of the ACAS Code of Practice on Disciplinary and
Grievance Procedures, of **£4,025.70**.

(2) A statutory redundancy payment of **£1,286** (2 weeks' gross pay at the maximum weekly rate of £643 per week);

(3) Compensation for unpaid notice pay as damages for breach of contract of **£5,463.51**, and a 25% uplift to that award under s.207A TULRCA 1992 because of the respondent's unreasonable failure to follow the provisions of the ACAS Code of Practice on Disciplinary and Grievance Procedures, of **£1,365.88**.

(4) The claimant did not receive any relevant state benefits and so the Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply.

(5) Oral reasons were given at the hearing. There was no request for written reasons.

M Whitcombe

Employment Judge M Whitcombe

Date of Judgment 21 March 2024

**Entered in register
and copied to parties**

22 March 2024