



EMPLOYMENT TRIBUNALS

Claimant: (1) Mr P Martin & (2) Mrs E Martin

Respondent: Achieve Lifestyle Ltd

Heard at: Reading **On: 22 March 2024**

Before: Employment Judge Shastri-Hurst, Ms B Osborne
& Mrs C Bailey

Representation

Claimant: Mr Starcevic (counsel)

Respondent: Mr Willis (solicitors)

REMEDY JUDGMENT

1. The respondent shall pay the first claimant **£435.12** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.
2. The respondent shall pay the second claimant **£555.52** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.
3. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to increase the compensatory award payable to the first and second claimants by **20%** in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
4. The respondent shall pay the first claimant the following sums:
 - a. Basic award – **£652.68**
 - b. Compensatory award – **£11,313.12**

Note that these are the actual sums payable to the first claimant after any deductions or uplifts have been applied.

5. The respondent shall pay to the second claimant the following sums:

- a. Basic award - **£833.28**
- b. Compensatory award – **£14,443.52**

Note that these are the actual sums payable to the second claimant after any deductions or uplifts have been applied.

6. The second claimant is awarded **£1,455.73** as financial losses flowing from her discrimination claims (pre-dismissal discrimination).
7. The second claimant is awarded **£15,000** as injury to feelings flowing from her discrimination claims (pre-dismissal discrimination).
8. The second claimant is awarded interest on the sums in paragraphs 6 & 7 from 2 February 2021 to 22 March 2024 in the sum of (£365.26 + £3,763.65 =) **£4,128.91**.

Employment Judge Shastri-Hurst

Date: 29 May 2024

JUDGMENT SENT TO THE PARTIES ON
30 May 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.

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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.