



# THE EMPLOYMENT TRIBUNALS

**Claimant** Mrs A Henderson

**Respondent** Pacifica Appliance Services Limited

**Heard at** Newcastle upon Tyne Hearing Centre [via CVP video link]

**On** 23 May 2024

**Before** Employment Judge Langridge

**Representation:**  
**Claimant** In person  
**Respondent** Mrs V Weston, Group HR Director

## JUDGMENT ON REMEDY

Having found at a hearing on 17 April 2024 that the claimant was unfairly dismissed, the Tribunal's judgment on remedy is that the respondent shall pay the claimant:

- 1) A compensatory award of £977.68, subject to any tax or national insurance which the respondent is required to deduct; and
- 2) A basic award of £810.

The Tribunal concludes as follows:

1. The claimant would have been fairly dismissed within 7 days of her termination date of 14 July 2023, and that dismissal would have been on 3 weeks' notice.
2. The loss suffered by the claimant in that 4 week period amounts to 4 weeks' pay including the respondent's pension contribution, namely:  
gross weekly pay of £450 x 4 weeks = £1,800  
weekly pension contribution of £18 x 4 weeks = £72
3. In addition the claimant is entitled to compensation for loss of statutory rights amounting to £350, bringing the claimant's total loss to £2,222.
4. Having considered whether the claimant failed to mitigate her loss, I decline on balance to make any reduction for failure to mitigate in that 4 week period.

5. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures and it is just and equitable to increase the compensatory award by 10% in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992. This increases the loss to £2,444.20.
6. The claimant caused or contributed to the dismissal by blameworthy conduct and it is just and equitable to reduce the compensatory award payable to her by 60%. This reduces the total compensatory award to £977.68.
7. The claimant's basic award amounts to £2,025. It is just and equitable to reduce that sum by 60% because of her conduct before dismissal, bringing the amount of the basic award payable to the claimant to £810.

SE Langridge  
Employment Judge Langridge

**JUDGMENT SIGNED BY EMPLOYMENT  
JUDGE ON 23 May 2024**

### **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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### **Recording and Transcription**

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<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>