



EMPLOYMENT TRIBUNALS

Claimant: Mr Mark Hemphill

Respondent: Great Western Hospitals NHS Foundation Trust

Heard at: Bristol **On:** 15 May 2024

Before: Employment Judge Street

Appearances

For the Claimant: in person

For the Respondent: Mr D Isaacs

JUDGMENT

In respect of the unfair constructive dismissal on which the Respondent was found to be liable to the Claimant in the Judgment dated 15 December 2024, the Respondent is Ordered to pay the Claimant the sum of £23,797.46 by way of compensation

That is calculated as follows:

Basic award	£11,991.00
Loss of earnings	£ 9,654.46
In respect of pension	£2,152.00

The period of loss is 15 July 2022 to 20 March 2023, with loss of earnings from 29 July 2022, that is 33 weeks and 3 days. The loss of earnings is based on annual salary on 0.4 of Band 6, £16,235.20 gross calculated at net salary of £15,062.34 per annum. Pension loss is assessed as 20.68% employer contributions over the same period.

The new post from March 2023 is permanent equivalent employment, at which Mr Hemphill was earning £20,749 gross per annum (assessed over the period to December 2023).

The expenditure from the previous pension lump sum is not compensatable. There is no loss of statutory rights, given the terms of which the proposed role with the Respondent.

Employment Judge Street

15 May 2024

JUDGMENT SENT TO THE PARTIES ON
07 June 2024 By Mr J McCormick

FOR THE TRIBUNAL OFFICE

Recoupment does not apply

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.

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/>