



EMPLOYMENT TRIBUNALS

Claimant: Mrs Doreen Oddy

Respondent: Peter Harrington Limited

Heard at: London Central (by video) **On:** 25 and 26 June 2024

Before: Employment Judge C H O'Rourke

Representation:

Claimant: Mr R Pickard - Counsel

Respondents: Mr A Williams - Solicitor

JUDGMENT

1. The Respondent unfairly dismissed the Claimant.
2. As conceded by the Respondent, it made unlawful deductions from the Claimant's pay, in respect of parental leave due to the Claimant, in the agreed sum of £1077.40.

REMEDY/PENALTY

1. The Respondent is ordered to pay the Claimant the sum of £68,485.31 (as set out in the attached schedule).

2. Subject to s.12A of the Employment Tribunals Act 1996, the Respondent is ordered to pay, to the Secretary of State for Business, Energy and Industrial Strategy, a financial penalty of £20,000.

Employment Judge O'Rourke

Dated: 26 June 2024

JUDGMENT SENT TO THE PARTIES ON

4 July 2024

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FOR THE TRIBUNAL OFFICE

Enclosure:

Remedy Schedule

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.

Remedy Schedule

Basic Award – 2 weeks at £643 per week £ 1,286.00

Compensatory Award

Prescribed Element (to date of Hearing)

21 January 2024 to 26 June 2024 - 22 weeks (as claimed),
at the agreed weekly net figure of £1048.05 £23,057.10

ACAS uplift at 25% £ 5,764.28

Sub-total £28,821.38

Non-prescribed element (other losses)

27 June 2024 to 23 October 2024 – 17 weeks
at the agreed weekly net figure of £1048.05 £17,816.85

Loss of statutory rights £ 450.00

Loss of pension rights (in the undisputed weekly sum of £143.29)
for 39 weeks £ 5,588.31

Sub-total £23,855.16

ACAS Uplift at 25% £ 5,963.79

Sub-total £29,818.95

Total Basic and Compensatory Award £59, 926.33

Deductions prior to Grossing Up

Tax free element and award for dismissal reasons (£30,000.00)

Sub-total £29, 926.33

Grossing up at 20% £37,407.91

Add-back of pre-gross up deductions £30,000.00

Grand Total Award for Unfair Dismissal £67,407.91

<u>Unlawful Deduction from Wages</u>	<u>£ 1077.40</u>
<u>GRAND TOTAL AWARD</u>	<u>£68,485.31</u>

ANNEX TO THE JUDGMENT (Financial Penalty)

The Employment Tribunal has, under section 12A of the Employment Tribunals Act 1996, imposed a financial penalty on the Respondent in the sum of £20,000. That sum is now payable to the Secretary of State. Responsibility for the collection of that payment has been passed to a Debt Collection Agency who has been appointed by the Department of Business, Energy and Industrial Strategy, to collect such penalties on behalf of the Secretary of State. The Debt Collection Agency will contact you within the next few days to explain how that payment should be made. You should note that if the financial penalty is paid no later than 21 days after the date of this letter, the sum payable is reduced by 50%. In the event of an application for reconsideration of, or appeal against, the decision to impose a financial penalty recovery will be suspended until the outcome of the application for reconsideration or appeal is known. However, please note that the 21-day period referred to above is not affected by any application for appeal or reconsideration.