



# EMPLOYMENT TRIBUNALS

**Claimants:** Mrs A Sutton

**Respondents:** Intuitive Early Years Ltd

## JUDGMENT

Employment Tribunals Rules of Procedure 2013, Rule 21

**The respondent not having presented a response to the claim and on the information before the Judge,**

1. The claim for redundancy pay in accordance with the right conveyed by section 135 of the Employment Rights Act 1996 is well founded. The respondent failed to pay the claimant redundancy pay and is ordered to pay the gross sum of **£2112**.
2. The claim for failure to pay statutory notice pay in accordance with section 86 of the Employment Rights Act 1996 is well founded. The respondent failed to pay the claimant during the notice period and is ordered to pay the gross sum of **£2112**.

## REASONS

1. The claimant worked as a deputy manager for the respondent pre-school nursery from 23 July 2017 to 24 August 2023.
2. The claimant complains that she was notified of the closure of the respondent business whilst on maternity leave but did not receive redundancy pay or notice pay on the termination of her employment.
3. The claimant was entitled to gross wages of £352 per week.
4. On termination of employment, the claimant was 32 years of age and had worked for the respondent for 6 complete years.
5. Section 162 provides that a redundancy payment shall be calculated by establishing the number of years the claimant worked for the respondent and allowing one week's pay for each year worked that the claimant was not below the age of 22.

6. The claimant is therefore entitled to a gross redundancy payment of £2112.

7. Similarly, in accordance with section 86 of the Employment Rights Act 1996 the claimant is entitled to a week's pay for each complete year she worked for the respondent.

8. The claimant is therefore entitled to gross notice pay of £2112.

Employment Judge Ainscough

Date: 22 July 2024

JUDGMENT SENT TO THE PARTIES ON  
Date: 23 July 2024

FOR THE TRIBUNAL OFFICE

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2411752/2023

#### **Amanda Sutton v Intuitive Early Years Ltd**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 23 July 2024

"the calculation day" is: 24 July 2024

"the stipulated rate of interest" is: **8%**

Mr P Guilfoyle  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### **GUIDANCE NOTE**

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/collections/employment-tribunal-forms](http://www.gov.uk/government/collections/employment-tribunal-forms)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.