



EMPLOYMENT TRIBUNALS

Claimant: R Harvey

Respondent: Fieldhouse Home Limited

HELD AT: Manchester

ON: 11-13 November 2024

BEFORE: Employment Judge Batten
J Flynn
Dr B Tirohl

REPRESENTATION:

For the claimant: N Harvey, claimant's mother
For the respondent: B Khan, director

JUDGMENT

The unanimous judgment of the Tribunal is that:

1. The complaint of unfair dismissal is dismissed for lack of jurisdiction to hear it, as the claimant had less than the qualifying 2 years' service required to pursue such a complaint.
2. The complaints of direct disability discrimination and a failure to make reasonable adjustments are well-founded and succeed.
3. The respondent shall pay to the claimant compensation in the total net sum of **£27,397.53** comprised as follows:
 - a. Compensation for past financial losses: £4,217.40

- b. Interest on compensation for past financial losses calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996 at the rate of 8% per annum from the mid-point of the date of the act of discrimination complained of, 25 November 2022, and the calculation date, 13 November 2024 so that the midpoint is 18 November 2023 (51 weeks): £330.90
- c. Compensation for injury to feelings: £19,750.00
- d. Interest on compensation for injury to feelings calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996 at the rate of 8% per annum from the date of the act of discrimination, 25 November 2022, to 13 November 2024 (102 weeks): £3,099.23

Employment Judge Batten
Date 13 November 2024

JUDGMENT SENT TO PARTIES ON:

19 November 2024

FOR THE TRIBUNAL OFFICE

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.

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/>



NOTICE

**THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990
ARTICLE 12**

Case number: **2402824/2023**

Name of case: **Miss R Harvey** v **Fieldhouse Home Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

the relevant decision day in this case is: 19 November 2024

the calculation day in this case is: 20 November 2024

the stipulated rate of interest is: **8% per annum**.

For the Employment Tribunal Office