



EMPLOYMENT TRIBUNALS

Claimant: Mr Lyward

Respondent: Rother Valley Press

Heard at: London South (by CVP)

On: 27 and 28 May 2025

Before: Employment Judge Murdoch

Representation

Claimant: Mr Hoar, counsel

Respondent: Mr Collins, In person

JUDGMENT

1. The complaint of constructive unfair dismissal under Part X Employment Rights Act 1996 is well-founded and succeeds. The respondent is ordered to pay the claimant the following:
 - (a) A basic award in the sum of **£11,890** (gross weekly pay of £410 x 29 multiplier (claimant is 59 years old with 26 years of service)); and
 - (b) A compensatory award in the sum of **£21,320** (£500 loss of statutory rights, plus £27,156 for loss of earnings from 19 December 2023 until 28 May 2025 minus two weeks notice pay (73 weeks x net weekly salary of £372), which is a total of £27,656, but then capped at 52 weeks gross pay, which is £21,320 (£410 gross weekly pay x 52 weeks)).
2. The complaint of unauthorised deductions from pay contrary to Part II Employment Rights Act 1996 in respect of wages from 3 August 2023 to 19 December 2023 is well-founded and succeeds. The respondent is ordered to pay to the claimant the gross sum of **£8,077** (which is the claimant's gross weekly wage of £377 plus pension contribution of £33, which is £410, multiplied by 19.7 weeks).
3. The complaint of breach of contract in relation to two week's notice pay is well-founded and succeeds. The respondent is ordered to pay to the claimant the gross sum of **£820** (which is the claimant's gross weekly wage of £377 plus pension contribution of £33, which is £410, multiplied by 2 weeks).

4. The complaint of failure to provide itemised pay statements contrary to section 8(1) of the Employment Rights Act 1996 is well-founded and succeeds.
5. The claimant's complaint of holiday pay is dismissed following withdrawal by the claimant.
6. The recoupment regulations do not apply as the claimant has not received any State benefits.
7. The claimant's claim for a preparation time order is awarded on the basis on the respondent's unreasonable conduct during proceedings, in the gross sum of **£1,417** (£45 x 31.5 hours).
8. The respondent is therefore ordered to pay the claimant the total gross sum of **£43,524**.

Approved by:
Employment Judge Murdoch

28 May 2025

JUDGMENT SENT TO THE PARTIES ON
28 May 2025

.....

.....

FOR THE TRIBUNAL OFFICE