



EMPLOYMENT TRIBUNALS

Claimant: Ms A Lapaz-Mendez

Respondent: Medivet Group Limited

Heard at: Watford (by CVP)

On: 19 May 2025

Before: Employment Judge Emery

REPRESENTATION:

Claimant: In person

Respondent: Mr M Sellwood (counsel)

PRELIMINARY HEARING IN PUBLIC JUDGMENT

The judgment of the Tribunal is as follows:

Disability

1. The claimant was a disabled person as defined by section 6 Equality Act 2010 because of depression, anxiety and stress from October 2022 to the date of her claim.
2. The complaints made by the claimant from October 2022 onwards can therefore proceed.

Approved by:
Employment Judge Emery
19 May 2025

Judgment sent to the parties on:
27/5/2025
For the Tribunal:

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 51) 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.



EMPLOYMENT TRIBUNALS

Claimant: Mr A Claimant

Respondent: Respondent PLC

Heard at: Manchester (by CVP)

On: 31 January 2025

Before: Employment Judge Novice

REPRESENTATION:

Claimant: In person

Respondent: Mr J Smith (Solicitor)

JUDGMENT

The judgment of the Tribunal is as follows:

Wages

3. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period **[dates]**.
4. The respondent shall pay the claimant **£XXX**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
5. The respondent shall also pay the claimant **£XXX** to compensate the claimant for financial loss attributable to the unauthorised deduction.

Notice Pay

6. The complaint of breach of contract in relation to notice pay is well-founded.

7. The respondent shall pay the claimant **£XXX** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.

Holiday Pay

8. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
9. The respondent shall pay the claimant **£XXX**. The claimant is responsible for paying any tax or National Insurance.

or
10. The complaint in respect of holiday pay is well-founded. The respondent was in breach of contract in failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
11. The respondent shall pay the claimant **£XXX** as damages for breach of contract. This is the net value to the claimant of the amount due.

or
12. The complaint in respect of holiday pay is well-founded. The respondent failed to pay the claimant in accordance with regulation 14(2) and/or 16(1) of the Working Time Regulations 1998.
13. The respondent shall pay the claimant **£XXX**. The claimant is responsible for paying any tax or National Insurance.

or
14. The complaint that between **[dates]** the respondent refused to permit the claimant to exercise the right to paid annual leave under the Working Time Regulations 1998 is well-founded.
15. The respondent shall pay the claimant **£XXX**. This is the compensation the Tribunal considers just and equitable in all the circumstances under regulation 30(4).

Redundancy Payment

16. The complaint that the respondent was in breach of contract by failing to pay the claimant a contractual redundancy payment is well-founded.
17. The respondent shall pay the claimant **£XXX** as damages for breach of contract.

or

18. Under section 163 Employment Rights Act 1996 it is determined that the claimant is entitled to a redundancy payment of **£XXX**.
19. The respondent shall also pay the claimant **£XXX** to compensate the claimant for financial loss attributable to the failure to pay the redundancy payment.

Written Itemised Pay Statements

20. The respondent failed to give the claimant written itemised pay statements as required by section 8 Employment Rights Act 1996 in the period **[dates]**.
21. The respondent made unnotified deductions totalling **£XXX** from the pay of the claimant in the 13 weeks prior to presentation of the claim form. The respondent shall therefore pay the claimant **£XXX** in respect of those deductions.

Unfair Dismissal

22. The complaint of unfair dismissal is well-founded. The claimant was unfairly dismissed.
23. There is a **[insert]** % chance that the claimant would have been fairly dismissed in any event.
24. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to increase the compensatory award payable to the claimant by **[insert]** % in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
25. The claimant unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to decrease the compensatory award payable to the claimant by **[insert]** % in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
26. The claimant caused or contributed to the dismissal by blameworthy conduct and it is just and equitable to reduce the compensatory award payable to the claimant by **[insert]** %.
27. It is just and equitable to reduce the basic award payable to the claimant by **[insert]** % because of the claimant's conduct before the dismissal.
28. The respondent shall pay the claimant the following sums:
 - (a) A basic award of **£XXX**.

(b) A compensatory award of **£XXX**.

Note that these are actual the sums payable to the claimant after any deductions or uplifts have been applied.

29. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply:
- The total monetary award (i.e. the compensatory award plus basic award) payable to the claimant for unfair dismissal is **£XXX**
 - The prescribed element is **£XXX**.
 - The period of the prescribed element is from **[start date to remedy hearing date]**.
 - The difference between (1) and (2) is **£XXX**.

Non-compliance with ACAS Code

30. The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to increase the compensatory award payable to the claimant by **[insert]** % in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
31. The claimant unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to decrease the compensatory award payable to the claimant by **[insert]** % in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.

Failure to provide a written statement of employment particulars

32. When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It **[is/is not]** just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the respondent shall therefore pay the claimant **£XXX**.

Approved by:
Employment Judge Novice
31 January 2025

Judgment sent to the parties on:

.....
For the Tribunal:

.....

Note

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments (apart from judgments under rule 51) 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.



EMPLOYMENT TRIBUNALS

Claimant: Mr A Claimant

Respondent: Respondent PLC

Heard at: Watford

On: 31 January 2025

Before: Employment Judge Novice
Mr L Smith
Ms D Brown

REPRESENTATION:

Claimant: In person

Respondent: Mr J Smith (Solicitor)

JUDGMENT

The unanimous judgment of the Tribunal is as follows:

Detriment for making protected disclosures

33. The complaint of being subjected to detriment for making protected disclosures is well-founded and succeeds.

Or

34. The complaint of being subjected to detriment for making a protected disclosure is not well-founded and is dismissed.

Or

35. The following complaints of being subjected to detriment for making a protected disclosure are well-founded and succeed:

- a. [insert list, e.g. being suspended on [date], being dismissed on [date] etc]

36. The remaining complaints of being subjected to detriment for making a protected disclosure are not well-founded and are dismissed.

Direct discrimination

37. The complaint of direct **[insert protected characteristic]** discrimination is well-founded and succeeds.

Or

38. The complaint of direct **[insert protected characteristic]** discrimination is not well-founded and is dismissed.

Or

39. The following complaints of direct **[insert protected characteristic]** discrimination are well-founded and succeed:

a. [insert list, e.g. being suspended on [date], being dismissed on [date] etc]

40. The remaining complaints of direct **[insert protected characteristic]** discrimination are not well-founded and are dismissed.

Indirect discrimination

41. The complaint of indirect **[insert protected characteristic]** discrimination is well-founded and succeeds.

Or

42. The complaint of indirect **[insert protected characteristic]** discrimination is not well-founded and is dismissed.

Or

43. The following complaints of indirect **[insert protected characteristic]** discrimination are well-founded and succeed:

a. [insert list, e.g. refusal of flexible working request on [date], not being promoted on [date] etc]

44. The remaining complaints of indirect **[insert protected characteristic]** discrimination are not well-founded and are dismissed.

Harassment

45. The complaint of harassment related to **[insert protected characteristic]** is well-founded and succeeds.

Or

46. The complaint of harassment related to **[insert protected characteristic]** is not well-founded and is dismissed.

Or

47. The following complaints of harassment related to **[insert protected characteristic]** are well-founded and succeed:

- a. [insert list, e.g. comments made by line manager on [date], email sent by colleague on [date] etc]

48. The remaining complaints of harassment related to **[insert protected characteristic]** are not well-founded and are dismissed.

Unfavourable treatment because of something arising in consequence of disability

49. The complaint of unfavourable treatment because of something arising in consequence of disability is well-founded and succeeds.

Or

50. The complaint of unfavourable treatment because of something arising in consequence of disability is not well-founded and is dismissed.

Or

51. The following complaints of unfavourable treatment because of something arising in consequence of disability are well-founded and succeed:

- a. [insert list, e.g. being suspended on [date], being dismissed on [date] etc]

52. The remaining complaints of being unfavourable treatment because of something arising in consequence of disability are not well-founded and are dismissed.

Failure to make reasonable adjustments for disability

53. The complaint of failure to make reasonable adjustments for disability is well-founded and succeeds.

Or

54. The complaint of failure to make reasonable adjustments for disability is not well-founded and is dismissed.

Or

55. The following complaints of failure to make reasonable adjustments for disability are well-founded and succeed:

- a. [insert list, e.g. not providing an adjustable chair [date], not allowing working from home [date] etc]

56. The remaining complaints of failure to make reasonable adjustments for disability are not well-founded and are dismissed.

Victimisation

57. The complaint of victimisation is well-founded and succeeds.

Or

58. The complaint of victimisation is not well-founded and is dismissed.

Or

59. The following complaints of victimisation are well-founded and succeed:

- a. [insert list, e.g. suspending from work on [date], refusal of holiday on [date] etc]

60. The remaining complaints of victimisation are not well-founded and are dismissed.

Remedy

61. The Tribunal makes the following recommendations: **[insert]**.

62. The respondent shall pay the claimant the following sums:

- a. Compensation for past financial losses: £XXX;
- b. Interest on compensation for past financial losses calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: £XXX;
- c. Compensation for future financial losses: £XXX;
- d. Compensation for injury to feelings: £XXX;
- e. Interest on compensation for injury to feelings calculated in accordance with the Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996: £XXX.

Approved by:
Employment Judge Novice
31 January 2025

Judgment sent to the parties on:

.....
For the Tribunal:
.....

Note
Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions
Judgments (apart from judgments under rule 51) 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.