



EMPLOYMENT TRIBUNALS

Claimant: Mrs C Sheehan

Respondent: Lambton Holdings Limited

HELD AT: Middlesbrough

ON: 07 April 2025

BEFORE: Employment Judge Moss

REPRESENTATION:

Claimant: In person

Respondent: No appearance

JUDGMENT

1. The effective date of termination was 29 March 2024 (as modified pursuant to section 97(2) Employment Rights Act 1996 due to the claimant not having been given notice of dismissal as required under s86 ERA). Accordingly, the claimant has the requisite qualifying service to bring a complaint of ordinary unfair dismissal. The claimant's claim for unfair dismissal is upheld and the respondent is ordered to pay to the claimant **£21,091.97** comprised of the following amounts.

Basic award – **gross sum of £1187.88** (2 x 1.5 x £395.96)

Compensatory award – **net sum of £17821.90** calculated as follows –

Immediate loss £17204.20 (52 weeks x £330.85)

Loss of employer's pension contributions x 52 weeks £617.70

plus ACAS uplift 10% **£1782.19**

Loss of statutory rights are awarded in the sum of **£300**

2. The claimant's claim for holiday pay is upheld and the respondent is ordered to pay to the claimant the **gross sum of £1698.46** (representing 163 hours of accrued but untaken holiday during the period 01 April 2023 – 31 December 2023).
3. The claimant's claim for notice pay is upheld and the respondent is ordered to pay to the claimant the **gross sum of £395.96** (one week's gross pay, not otherwise included in the unfair dismissal compensatory award).
4. For failure to provide the claimant with a written statement of particulars of employment, the respondent shall pay to the claimant the **gross sum of £791.92** (2 week's pay).
5. The recoupment provisions apply to part of the award and the respondent is required to hold back from the claimant the **prescribed element of £17821.90** until the Secretary of State serves a recoupment notice on the respondent, or notifies the respondent she does not intend to serve such a notice. The **prescribed period is 29 March 2024 to 07 April 2025**. The remainder of the award of £6156.41 shall be paid to the claimant within 14 days of the date of this judgment being sent to the parties.
6. The claimant's claim for marriage discrimination is dismissed on withdrawal.

Employment Judge Moss

Date 08 April 2025

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.