



EMPLOYMENT TRIBUNALS

Claimant: Mrs L Harris-Pugh
Respondent: Net Natives Ltd

UPON a reconsideration of the judgment dated 16 February 2026 on the Tribunal's own initiative under rule 68 of the Employment Tribunal Procedure Rules 2024, and without a hearing, but having considered comments from the parties, The judgment dated 16 February 2026 is varied as follows. The variation is underlined and text that has been removed is crossed through.

JUDGMENT ON RECONSIDERATION

1. The claimant was not automatically unfairly dismissed by the respondent. That claim is dismissed.
2. The Tribunal has found the Respondent did contravene the Equality Act 2010 in respect of the claim of pregnancy/maternity discrimination.
3. The respondent is ordered to pay compensation of £16,866.85 ~~£21,780.72~~ to the claimant.
4. This consists of:

Financial loss	£9,402.62 <u>£4,896.14</u>
Injury to feelings	£10,000
Interest	£2,378.08 <u>£1,970.71</u>
5. The financial loss consists of the following:

Maternity pay of £2,157.79 for the period commencing 8 May 2024 until 4 December 2024 and pension loss as follows:

at the claimant's net contractual rate for the first 11 weeks 3 days of maternity leave (~~£13,495.88~~ £556.81);

at 80% of the claimant's net contractual rate for 7 days (£1,299.23);

Maternity pay and pension loss at 80% of the alternative role's net rate (£35,920 per annum, £690.77 per week) for the rest of the maternity leave (7 8.6 weeks at £4835.38 (£4,752.50);

and SMP for the remaining 19.57 weeks of £2,974.05 ~~£3,191.37~~ and pension of ~~£969.36~~, totalling ~~£8996.11~~);

Minus SMP actually paid of ~~£12,441.84~~ £7,424.80.

Loss of pension contributions of £1,607.40 calculated as follows

from 14 February 2024 until 21 May 2024 (14 weeks) at the contractual rate (£45.08 per week) (£631.12)

from 22 May 2024 until 4 December 2024 (28 weeks 1 day) at the alternative role rate of £34.62 per week (£969.36 plus £6.92= £976.28)

Holiday pay of £2,763

for days she would have accrued from 14 February 2024 until she began her new role on 4 December 2024 (294/366 days x contractual entitlement of 25 days=20 days), calculated at the alternative role rate (£138.15): £2,763;

~~18 days' holiday accrued during maternity leave up to 4 December 2024 paid at the alternative role's rate of £138.15 per day (£2486.70);~~

Sub-total: ~~£12,536.85~~ £6,528.19

This award for financial loss (~~£9402.62~~ £4,896.14) is the Sub-total above reduced by 25% to reflect the chance the claimant would have turned down the alternative role, and would have been dismissed in any event, even without the contravention of the Equality Act.

6. The interest has been calculated as simple interest which accrues from day to day at the current rate of 8% giving
a daily rate of £2.19 per day for the periods: 14 February 2024 (date of discrimination) to 6 February 2026 (723 days) for the injury to feelings award;
a daily rate of £1.07 for the period 9 February 2025 (midpoint of the above period) to 6 February 2026 (362 days) for the financial losses award.
7. This calculation amounts to interest on the injury to feelings award of ~~£1584.66~~ £1583.37 and interest on the financial losses of ~~£793.42~~ £387.34.

REASONS

8. Employment Judge Corrigan wrote to the parties to propose a reconsideration on the tribunal's own motion and to explain the reasons for this on 20 February 2026, though it appears this had to be re-sent on 16 March 2026. In particular credit had not been given for the 12 week notice period paid by the respondent and gross figures had been used in error. The reasons for these errors were set out in the letter but essentially the tribunal had relied on information in the schedule of loss that was in fact incorrect, though the respondent had not taken issue with this during the hearing. There was also an error in the daily rate used for the financial loss element of the award.
9. Proposed alternative figures were given in the letter.
10. The parties were invited to respond within 7 days. In fact responses were received on 17 March 2026 from the parties (it seems because the letter had to be re-sent on 16 March 2026).
11. The claimant confirmed her agreement with the proposal and proposed figures. The respondent agreed that credit had not been given for the notice period and that net figures should be used. The basis for the reconsideration is essentially agreed by the parties.
12. The respondent queried the revised 20 days holiday on the basis that the claimant started new employment on 5 December 2024 and she should not double recover statutory entitlements. It is confirmed that the holiday calculation is based on the entitlement to 25 days that the claimant claimed in her schedule of loss (which appears to be her annual contractual entitlement over and above bank holidays) and only reflects the pro rata holiday the claimant would have accrued by 4 December 2024. It does not include any statutory leave she would have accrued with her new employer.
13. The respondent also asked the tribunal confirm that the 20 days do not overlap with holiday pay included in the notice pay. There was no holiday pay included in the notice pay. The respondent separately paid the claimant 3 days she had accrued by the date of termination which does not overlap with the period of accrued leave in the award.
14. The respondent has also correctly queried the overall number of weeks awarded for pension loss and maternity pay. The periods in the original award were incorrect and the number of weeks up to 4 December 2024 has been rectified in the reconsidered judgment. This has reduced the figures a little.
15. The respondent also sought to re-open the reduction to reflect the chance of dismissal in any event. This went beyond the scope of the proposed reconsideration and appears to be an attempt to have a further go at making submissions that were already made and considered at the hearing. The tribunal has not proposed to reconsider this part of the award.
16. The respondent also queried the basis of the period used in the interest calculation which also went beyond the proposed reconsideration by the tribunal. The periods used reflect those in regulation 6 of Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996.

- The tribunal did not propose to reconsider this aspect of the decision. The respondent did not give any reason why the periods used should be departed from or provide a revised calculation.
17. The parties were not expressly asked if they wanted a further hearing but neither requested it and it appears that it is not necessary in the interests of justice to have a hearing. The parties essentially agree with the proposal to reconsider the judgment with the exception that the respondent has pointed out the error in respect of the total number of weeks covered by the award. Correcting the number of weeks does not require a hearing. The parties can check the period of the award and if there is any further error they can raise this in writing.
 18. Although explanations have been given here in response to the other points raised by the respondent they were not within the remit of the proposed reconsideration.

Approved by
Employment Judge Corrigan
24th April 2026

Sent to the parties on
7th May 2026

For the Tribunal Office

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