



EMPLOYMENT TRIBUNALS

Claimant: Miss Alison Newey

Respondent: Encompass Care Organisation UK

Heard at: Southampton

On: 5 June 2026

Before: Employment Judge Dawson, Mr Richardson and Mr English

Appearances

For the claimant: Mr Hall, lay representative

For the respondent: Mr Anderson, counsel

REMEDY JUDGMENT

1. The claimant is awarded:
 - a. a basic award of £10,267.43
 - b. a compensatory award of £13,141.64.
2. For the purposes of the Employment Protection (Recoupment of Benefits) Regulations 1996:
 - a. The monetary award is £23,409.07
 - b. The prescribed element is £12,206.34

- c. The dates of the period to which the prescribed element is applicable is 29 March 2024 to the 29 September 2024.
- d. The monetary award exceeds the prescribed element by £11,202.73.

Employment Judge Dawson

Date 5 June 2026

JUDGMENT SENT TO THE PARTIES ON
19 June 2026

Public access to employment tribunal decisions

- 1. Judgments and full reasons for the judgments (if provided) 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

- 2. 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:
- 3. <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>

Reasons

- 4. Summary reasons for the judgment having been given orally at the hearing, written reasons (summary or full) will not be provided unless a request is 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. If written reasons are provided they may be placed online.

**ANNEX TO THE JUDGMENT
(MONETARY AWARDS)**

Recoupment of Benefits

The following particulars are given pursuant to the Employment Protection (Recoupment of Benefits) Regulations 1996, SI 1996 No 2349.

The Tribunal has awarded compensation to the claimant, but not all of it should be paid immediately. This is because the Secretary of State has the right to recover (recoup) any jobseeker's allowance, income-related employment and support allowance, universal credit or income support paid to the claimant after dismissal. This will be done by way of a Recoupment Notice, which will be sent to the respondent usually within 21 days after the Tribunal's judgment was sent to the parties.

The Tribunal's judgment states: (a) the total monetary award made to the claimant; (b) an amount called the prescribed element, if any; (c) the dates of the period to which the prescribed element is attributable; and (d) the amount, if any, by which the monetary award exceeds the prescribed element. Only the prescribed element is affected by the Recoupment Notice and that part of the Tribunal's award should not be paid until the Recoupment Notice has been received.

The difference between the monetary award and the prescribed element is payable by the respondent to the claimant immediately.

When the Secretary of State sends the Recoupment Notice, the respondent must pay the amount specified in the Recoupment Notice to the Secretary of State. This amount can never be more than the prescribed element of any monetary award. If the amount is less than the prescribed element, the respondent must pay the balance to the claimant. If the Secretary of State informs the respondent that it is not intended to issue a Recoupment Notice, the respondent must immediately pay the whole of the prescribed element to the claimant.

The claimant will receive a copy of the Recoupment Notice from the Secretary of State. If the claimant disputes the amount in the Recoupment Notice, the claimant must inform the Secretary of State in writing within 21 days. The Tribunal has no power to resolve such disputes, which must be resolved directly between the claimant and the Secretary of State.