



EMPLOYMENT TRIBUNALS

Heard at: Croydon (by video) **On:** 10 January 2022

Claimant: Mrs Janet How

Respondent: Sweet Selections N & L Limited

Before: Employment Judge Fowell

Mr C Rogers

Mr J Hutchings

Representation:

Claimant: Mr M Foster of Michael Foster Law

Respondent: Mr Nigel Osborne, Director

JUDGMENT

The unanimous decision of the Tribunal is as follows:

1. The claimant's dismissal was unfair.
2. The dismissal was in breach of contract.
3. There was a failure to provide a statement of terms and conditions of employment, for which 2 weeks' pay is awarded.
4. The claimant was not subject to a detriment under section 44(1)(d) Employment Rights Act 1996 (Health and Safety Cases)
5. The following award is made for unfair dismissal:

a. Basic Award	£7,017.42
b. Compensatory Award	£3,123.04
c. 25% ACAS Uplift	£2,535.12

Sub-total £10,140.46

Total Award £12,675.58

6. A further award for failure to provide a statement of terms and conditions of employment was made, in the sum of **£483.96.**
7. Hence, the total award is **£13,159.54**
8. The respondent is also ordered to make a contribution to the claimant's legal costs in the sum of **£500.**
9. NB:
 - a. The 25% uplift for failure to comply with the ACAS Code of Practice was applied to both the Basic Award and Compensatory Award.
 - b. The Compensatory Award comprises:
 - £250.00 loss of statutory rights, and
 - £2,873.04 notice pay.
 - c. The sum of £2,873.04 represents the period of 12 weeks' notice pay, to which the claimant was entitled, both for unfair dismissal and also wrongful dismissal/breach of contract.

Employment Judge Fowell

Date 11 January 2022

Note: 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.