



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss G Rees  
**Respondent:** PCP (Luton) Ltd (1)  
PCP Housing (2)

**Heard at:** Leicester Hearing Centre, 5a New Walk, Leicester, LE1 6TE  
**On:** 5, 6 and 7 July 2021  
**Before:** Employment Judge Adkinson sitting with Ms J Morrish and Ms K McLeod

## Appearances

**For the claimant:** In person  
**For the respondent:** Mr Munro, solicitor

## JUDGMENT

The **Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996** apply to the unfair dismissal element of this award.

After hearing the evidence and submissions of each party, the Tribunal unanimously concludes as follows:

1. **Continuous employment:** The first respondent continuously employed the claimant from 19 September 2016 until 15 November 2019. Therefore, the claimant has sufficient qualifying service to bring a claim for unfair dismissal and redundancy pay.
2. **Redundancy payment:** The first respondent dismissed the claimant for redundancy. Therefore, the first respondent must pay to the claimant a redundancy payment of **£979.68**;
3. **Unfair dismissal:** The first respondent unfairly dismissed the claimant for the potentially fair reason of redundancy. The Tribunal concludes the first respondent must pay to the claimant the following compensation:
  - 3.1. **A basic award of zero** because the amount of the basic award (£979.68) is reduced to zero by the redundancy payment being set against it;
  - 3.2. An award for loss of earnings for the period 16 November 2019 to 15 December 2019 (**the prescribed period**) of £1,415.07 plus

loss of pension contribution of £34.64 totalling **£1,449.71 (the prescribed amount)**

- 3.3. Compensation for loss of statutory rights of **£500**; and
- 3.4. Consequential expenses of **£40**.
- 4. **Notice pay:** the first respondent has failed to pay all of the claimant's notice pay. It must therefore pay to the claimant the sum of **£628.92**.
- 5. **Holiday pay:** the claimant's claim that the respondents failed to pay her holiday pay on termination of her employment is dismissed because the claimant withdrew it.
- 6. **Direct discrimination:**
  - 6.1. the claimant's claim that the respondents directly discriminated against the claimant because of her sex is dismissed
  - 6.2. the claimant's claim that the respondents directly discriminated against the claimant because of her disability is dismissed
- 7. **Failure to make reasonable adjustments:** the claimant's claim that the respondents failed to make reasonable adjustments is dismissed.

The total payable under this award is **£3,598.31** of which the balance of the total payable less the prescribed element is **£2,148.60**.

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Employment Judge Adkinson

Date: 7 July 2021

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

**Notes**

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.

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