

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, Directo	r	

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.