



EMPLOYMENT TRIBUNALS

Claimant: Ms A Wilkinson
Respondent: Ayletts House Ltd
Heard at: East London Hearing Centre (by CVP)
On: 17 and 18 February 2022
Before: Employment Judge M Byrne

Representation

Claimant: Ms Catherine Urquhart, of Counsel
Respondent: In person (Mr C Croll, Director of the Respondent)

JUDGMENT

Unfair dismissal

1. The Claimant's claim for unfair dismissal is upheld.

Wrongful dismissal

2. The Claimant's claim for wrongful dismissal is upheld.

REMEDY

3. The Claimant is awarded the following amounts in respect of her claims for unfair dismissal and wrongful dismissal.

3.1 Basic award of £1732.50 calculated as follows:

3.1.1 The Claimant was 26 at the date of dismissal and had completed seven years' service. She was entitled to half a half week's pay for each of her first three years of service and one week's pay for each of the next four years of

service. The Claimant's gross pay was £315 per week. The total basic award is therefore £1732.50 ($3 \times 0.5 \times £315 + 4 \times 1 \times £315 = £1732.50$).

3.2 Compensatory award of £5685.48 calculated as follows:

3.2.1 The Claimant found alternative employment of a similar type with effect from 15 June 2019, from when she no longer incurred any further financial loss.

7 weeks' pay between expiry of Notice Period and starting new job
7 weeks' pay = $7 \times £289.17$ (net weekly pay)
= £2,024.19

3.2.2 Failure to pay contractual notice/wrongful dismissal.

7 weeks' pay = $7 \times £289.17$ (net weekly pay)
= £2,024.19

3.2.3 Loss of statutory rights
= £500

3.2.4 Uplift to compensatory award of 25% for failure to follow the ACAS Code
 $£4548.38 \times 15\%$
= £1137.10

3.2.5 Total compensatory award = **£5685.48**

3.3 Grand total award

3.3.1 The grand total sum of **£7417.98**
(Basic award of **£1732.50** and compensatory award of **£5685.48**) is payable to the Claimant by the Respondent forthwith.

Employment Judge M Byrne
Date: 18 February 2022