



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms N Rae

**Respondent:** Compsych Limited

**HELD AT:** Manchester [CVP Hearing]

**ON:** 3 December 2020

**BEFORE:** Employment Judge Hill

## REPRESENTATION:

**Claimant:** Mr P Wilson (Counsel)

**Respondent:** Not present

# JUDGMENT

The judgment of the Tribunal is that:

1. The Tribunal does not have jurisdiction to hear the Claimant's claims for disability discrimination in respect of failure to make reasonable adjustments and harassment being out of time and are dismissed.
2. The Claimant's claim for automatic unfair dismissal under section 103A of the Employment Rights Act (Protected Disclosure) is well founded and succeeds.
3. The Claimant's claim that she was subjected to a detriment on the ground of having made a protected disclosure under section 47B of the Employment Rights Act is well founded and succeeds.
4. The Respondent shall pay the claimant compensation in the amount of £25,323.17 made up as follows:

## 5. BACKGROUND INFORMATION

Date of birth:	24/03/1973
Date commenced employment	21/01/2019
Effective Date of Termination (EDT):	31/10/2019

Number of years of continuous employment:	0 years
Gross annual income (basic salary):	£42,000
Gross monthly pay:	£3,500
Net monthly pay:	£2,674.65
Gross weekly pay:	£807.69
Net weekly pay:	£617.23

Previous earned approx. £1500 per month from self-employment

Earnings from self-employment since termination Earning £3,000 per month Nov 2019 - March 2020 an increase of £1500 per month

Earnings from self-employment from March 2020 – December 2020 £3,571 (less £1500 already would have earned) = £2,071 additional income from self-employment going forward

## 6. BASIC AWARD

The Claimant does not have sufficient service to qualify for the basic award.

**£0.00**

## 7. COMPENSATORY AWARD

Loss to date of Hearing (03/12/2020)

57 weeks x £617.23: £35,182.11

Less:

Self- Employment Grant (2 June 2020) £2,127.00

Self-Employment Grant (17 August 2020)  
£1,861.00

Less

earnings from additional self-employed work Nov 19 – March 20  
@ £1500 x 5 months £7,500

earnings from additional self-employed work April 20 – Nov 20  
@ £2071 x 7 months £14,497

Total reduction £25,985

**Total compensatory award: £9,197.11**

## 8. Future Loss

Future loss of earnings from and continuing (uncapped period due to Automatically Unfair Dismissal for making a protected disclosure):

87 weeks x £139.30 (difference between previous monthly earnings £2,674.66 + £1500 = £4174.66 = £963.38 weekly and new monthly earnings £3571 = £ 824

weekly loss of income =  $963.38 - 824.01 = \text{£}139.38$

Total future loss **£12,126.06**

Compensation for Detriment/Injury to feelings **£4,000**

**9. Total £25,323.17**

Employment Judge Hill

Date 14 December 2020

JUDGMENT SENT TO THE PARTIES ON  
18 December 2020

FOR THE TRIBUNAL OFFICE

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.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: 2402175/20  
Ms N Rae v Compsych Limited

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: 18 December 2020

"the calculation day" is: 19 December 2020

"the stipulated rate of interest" is: **8%**

MR S ARTINGSTALL  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### **GUIDANCE NOTE**

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/collections/employment-tribunal-forms](http://www.gov.uk/government/collections/employment-tribunal-forms)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.