



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss C Brophy

**Respondent:** Alverant Ltd (Cartref Residential Care Home)

**HELD AT:** Liverpool **ON:** 18, 19 and 20 September 2017

**BEFORE:** Employment Judge Rice-Birchall  
Mr M Gelling  
Mrs J E Williams

## REPRESENTATION:

**Claimant:** Ms S Ibrahim, Counsel  
**Respondent:** Mr R Crabtree, Consultant

# JUDGMENT

The judgment of the Tribunal is that:

1. The claimant was unlawfully discriminated against by the respondent under sections 15 and 20 of the Equality Act 2010.
2. The claimant was unfairly dismissed by the respondent.
3. The respondent has breached the claimant's contract of employment by failing to pay the claimant's notice pay and holiday pay and is ordered to pay to the claimant the sum of £4,742.64 (net) in respect of holiday pay.
4. The respondent is ordered to pay to the claimant a basic award of £11,588.45 and a compensatory award of £40,995.43 (which includes an injury to feelings award of £8,400).
5. Interest of £138.02 is awarded.

6. The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply.

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Employment Judge Rice-Birchall

Date 21 November 2017

JUDGMENT SENT TO THE PARTIES ON

22 November 2017

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: 2405512/2016

Name of case: Miss C Brophy v Alverant Ltd (Cartref Residential Care Home)

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: 22 November 2017

"the calculation day" is: 23 November 2017

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office