



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4106473/2022

Ms A Kirkwood

Claimant

**Sandstone UK Property Investment Ltd
(In liquidation)**

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The respondent has not contested the claimant's claim and an Employment Judge has decided to issue the following judgment on the available material under rule 21:

- 1 The respondent unfairly dismissed the claimant and her dismissal was automatically unfair in terms of section 103A Employment Rights Act 1996.
- 2 The respondent entered into compulsory liquidation on 7 August 2023 and had the claimant not been unfairly dismissed prior to that date, she would have been dismissed on that date. Compensation is therefore only awarded in respect of the claimant's loss of earnings from the date of her dismissal to the date of compulsory liquidation of the respondent. No award is made to the claimant in respect of any bonus she may have received between the period of her dismissal and 7 August 2023 as it is too speculative to calculate any compensation in that regard given the claimant's short length of service with the respondent. In addition, no award is made in respect of injury to feelings as the only detriment to which the claimant was subjected in respect of having

made a protected disclosure is her dismissal. The claimant was paid in lieu of her notice entitlement.

- 3 Therefore the total compensation payable to claimant by the respondent is:
 - a. Loss of earnings £17,909.14 (being losses from the date of dismissal to 7 August 2023 of £41,936.50 less payment in lieu of notice of £3,474.92 and earnings received between the date of the claimant's dismissal and 7 August 2023 being £20,552.44), and
 - b. Loss of pension benefit of £2,984.50 (being 50 weeks @ £59.69 per week)
- 4 The respondent is therefore ordered to pay to the claimant compensation of £20,893.64 in respect of her unfair dismissal.

Employment Judge: A Jones
Date of Judgment: 19 November 2024

Judgment sent to parties

20/11/2024