



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss L Horsman

**Respondents:** 1. Mr Kurt Abbott  
2. UK Creative Media Limited

**Heard at:** Manchester

**On:** 17 February 2020

**Before:** Employment Judge Sharkett  
Mr G Pennie  
Mr J Murdie

## REPRESENTATION:

**Claimant:** In person  
**Respondents:** In person

# JUDGMENT

The judgment of the Tribunal is:

1. The second respondent did not fail to reasonably consider the claimant's request for flexible working or alternative employment prior to her return from maternity leave.
2. The claimant's claim that she suffered a detriment as a result of the second respondent's failure to consider her request for flexible working prior to her return from maternity leave is not well-founded and is dismissed.
3. The claimant's claim of direct discrimination against the first and second respondents in respect of this allegation is not well-founded and is dismissed.
4. The claimant's claim against the second respondent that she suffered a detriment under section 47C of the Employment Rights Act 1996 by reason of the respondents' failures to pay statutory maternity pay in time or in full is well-founded and succeeds.
5. The claimant's claim of direct discrimination under section 18 of the Equality Act 2010 against the first and second respondents is well-founded and succeeds.

6. The claimant's claims of unlawful deduction of wages, payment in lieu of holiday accrued but not taken at the date of termination and breach of contract are dismissed upon withdrawal by the claimant.
7. The Tribunal makes an award to the claimant in the sum of £1,500 for injury to feelings.

Employment Judge Sharkett

Date: 24 February 2020

JUDGMENT SENT TO THE PARTIES ON

26 February 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.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2404871/2019**

Name of case: **Miss L Horsman** v **1. Kurt Abbott**  
**2. UK Creative Media 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: **26 February 2020**

"the calculation day" is: **27 February 2020**

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

For the Employment Tribunal Office