



EMPLOYMENT TRIBUNALS

Claimant: Mrs A Topping

Respondent: Cranford Care Homes Limited

Heard at: Liverpool

On: 21 April 2023

Before: Employment Judge Buzzard (sitting alone)

REPRESENTATION:

Claimant: Mr D Flood (Counsel)

Respondent: Miss A Gumbs (Counsel)

JUDGMENT

The claimant's claim of unfair dismissal is well founded and succeeds. It is found that the claimant would have been fairly dismissed one week after the date of dismissal had a fair procedure had been followed, and accordingly under the principles of *Polkey v AE Dayton Services Ltd* [1987] UKHL 8 the claimant's losses are limited to losses incurred in the further week that a fair procedure would have required. The claimant is further found to have been 50% to blame for her dismissal, and any remedy shall be reduced accordingly to reflect that level of contribution.

The claimant's claim of wrongful dismissal is not well founded and is dismissed.

Employment Judge Buzzard
21 April 2023

JUDGMENT SENT TO THE PARTIES ON
24 April 2023

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 shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.