



Benefits of Professional Advice and Indemnity Protection

At present the maximum compensation awarded for unfair dismissal is £68,400 plus a maximum of £12,000, worked out on a weekly pay basis. As with every claim for unfair dismissal, the amount awarded can vary for each person. This is because the job role and length of employment is taken into account, among other things. For unfair dismissal claims relating to discrimination, there is no statutory maximum for awards.

If you do not follow the correct dismissal procedures, this can amount to unfair dismissal.

A recent case proved that having professional advice and indemnity protection is vital. The company involved found that a member of its staff was stealing money. The Managing Director and her Business Partner immediately suspended the employee, pending an investigation. Following the investigation, the employee attended a disciplinary hearing, chaired by both business partners. The outcome of the hearing was the employee's dismissal on the grounds of gross misconduct. The employee then appealed this decision, following which an appeal hearing was conducted, again chaired by both partners. The appeal was rejected. The employee proceeded to lodge a claim with the employment tribunal, believing that the dismissal was unfair as the company had not followed the correct procedures. The tribunal decided that, because the business partners had chaired both the disciplinary hearing and the appeal hearing, the appeal hearing lacked impartiality and therefore the appropriate procedures had not been followed. The company was forced to pay compensation, even though it was agreed by the tribunal that the reason for dismissal (i.e. theft) was substantiated.