TRIBUNALS JUDICIARY

JUDGE BARRY CLARKE
PRESIDENT
EMPLOYMENT TRIBUNALS
(ENGLAND & WALES)

EMPLOYMENT TRIBUNALS (SCOTLAND)
Judge Shona Simon
President

PRESIDENTIAL GUIDANCE

Employment Tribunal awards for injury to feelings and psychiatric injury following *De Souza v Vinci Construction (UK) Ltd* [2017] EWCA Civ 879

FIFTH ADDENDUM TO PRESIDENTIAL GUIDANCE ORIGINALLY ISSUED ON 5 SEPTEMBER 2017

1. This Fifth Addendum updates, but does not otherwise replace, the Presidential Guidance originally issued on 5 September 2017 and the First, Second, Third and Fourth Addenda subsequently issued on 23 March 2018, 25 March 2019, 27 March 2020 and 26 March 2021, which remain relevant to claims presented before 6 April 2022. The Fourth Addendum takes into account changes in the RPI All Items Index released on 23 March 2022.[1]

2. In respect of claims presented on or after 6 April 2022, the Vento bands shall be as follows: a **lower band of £990 to £9,900** (less serious cases); a **middle band of £9,900 to £29,600** (cases that do not merit an award in the upper band); and an **upper band of £29,600 to £49,300** (the most serious cases), with the most **exceptional cases capable of exceeding £49,300**.

3. In respect of claims presented in Scotland, the bands remain subject to paragraph 12 of the Presidential Guidance issued on 5 September 2017.

[1] The Presidents remain aware of the shortcomings of the Retail Prices Index as a measure of inflation. They will consider at the relevant time any future change to the appropriate index of inflation that might be adopted in the Judicial College *Guidelines for the Assessment of General Damages in Personal Injury Cases* and/or by section 34 of the Employment Relations Act 1999. See: https://www.ons.gov.uk/economy/inflationandpriceindices/articles/shortcomingsoftheretailpriceindexasameasureofinflation/2018-03-08.





Judge Shona Simon
President (Scotland)

Judge Barry Clarke
President (England & Wales)

28 March 2022