



**Birmingham Peoples
Centre**

Putting People First

The Schedule of Loss

A schedule of loss is the amount that you believe your claim is worth. You will not know what the future holds, such as when you will get another job, so your schedule of loss is a best estimate. You will have a clearer idea the closer you get to the hearing date and it is likely that you will want to update your schedule of loss.

You will usually be required to inform the other side what remedy you are seeking about a month after submitting your claim. You should check the date that you need to do it by, which will be in the Case Management Order.

It is a good idea to have completed a schedule of loss when going through the Acas Early Conciliation process, as it will help you identify the potential value of your claim and help you when negotiating.

It should be possible for somebody to look at the schedule of loss and understand how the figures have been calculated. It is useful to provide a brief explanation to explain the figures. For example, I estimate that I will be out of work for 20 weeks and will have lost wages of 20 x my net weekly wage of £250.00.

The losses that you can ask for will depend upon what has been included in the claim form. You should clearly set out each type of claim in the schedule of loss. For example, holiday pay, unpaid wages, notice pay, loss of earnings, injury to feelings.

Working out the amount of your claim can be difficult, and this factsheet only provides an overview. The resources section provides more details to help you prepare a schedule of loss but please contact us for further advice and information before completing the final version.

Unfair dismissal claims

In an unfair dismissal claim you will usually claim a basic award, that is calculated the same way as a redundancy payment and compensation for loss of earnings. Your loss of earnings will be for immediate losses (up to the date of the hearing) and future losses (following the hearing). You can calculate the basic award by using the calculator in the resources section.

You are expected to take reasonable steps to find alternative employment and to mitigate your losses. Any earnings you receive during the period you are claiming loss of earnings for should be deducted. If you find another job but it is paid less than what you previously earned, then you should claim for the difference.

Each case is different but there will come a point when the tribunal will have expected you to find alternative employment. It will be easier for some people to find work than others and you should be able to justify the period of time you are claiming loss of earnings for.

As well as wages you can also claim for any benefits and pension you have lost as a result of being dismissed. You can also claim for expenses incurred in seeking new employment.

You can claim an amount for the loss of statutory rights. This is compensation for the fact that you will have to be employed continuously for 2 years by the same employer to have the right to claim unfair dismissal. The amount a tribunal will award is around £400.

If your employer has failed to follow the Acas Code of Practice, such as not holding a disciplinary hearing or allowing you to appeal your dismissal, then you can ask for the compensatory part of your award to be increased by up to 25%.

Discrimination claims

In discrimination claims, as well as seeking financial compensation, you should consider the amount you believe you are entitled to for injury to feelings.

Reducing the award

You should be aware that if the tribunal believe that your actions contributed to your dismissal then they are likely to reduce your award. Also, if the tribunal believe that you would have been dismissed even if the correct procedure had been followed then a reduction is likely. You might want to consider the possibility of the tribunal making a reduction when negotiating a settlement.

Contact us for further advice

We have included examples of a schedule of loss in the resources section where you can also find additional information. It is important that you include everything you are entitled to so we suggest that you contact us for advice and we are happy to look at your schedule of loss for and provide feedback.



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