



TRIBUNALS
JUDICIARY

JUDGE BRIAN DOYLE
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**

THIRD ADDENDUM TO PRESIDENTIAL GUIDANCE ORIGINALLY ISSUED ON 5 SEPTEMBER 2017

1. This Third Addendum updates, but does not otherwise replace, the Presidential Guidance originally issued on 5 September 2017 and the First and Second Addenda subsequently issued on 23 March 2018 and 25 March 2019, which remain relevant to claims presented before 6 April 2020. The Third Addendum takes into account changes in the RPI All Items Index released on 25 March 2020.¹
2. In respect of claims presented on or after 6 April 2020, the Vento bands shall be as follows: a **lower band of £900 to £9,000** (less serious cases); a **middle band of £9,000 to £27,000** (cases that do not merit an award in the upper band); and an **upper band of £27,000 to £45,000** (the most serious cases), with the most **exceptional cases capable of exceeding £45,000**. NB these bands take account of the 10 per cent *Simmons v Castle* uplift.
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/shortcomingsoftheretailpricesindexasameasureofinflation/2018-03-08>.



Judge Shona Simon
President (Scotland)



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President (England & Wales)

27 March 2020