



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.<sup>1</sup>
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.

<sup>1</sup> 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