



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss K Gill

**Respondent:** Secretary of State for Business Energy and Industrial Strategy

**HELD AT:** Sheffield

**ON:** 27 September 2019

**BEFORE:** Employment Judge Little

## REPRESENTATION:

**Claimant:** No attendance or appearance

**Respondent:** Response entered but no appearance

## JUDGMENT

The claim is dismissed.

## REASONS

1. Miss Gill brought this complaint on the basis that the respondent had made a deduction when making a payment to her from the redundancy payment fund of her redundancy pay and/or statutory notice pay.
2. There may have been two alleged deductions, one for tax and the other for what the claimant describes as benefits, which she says she did not claim.
3. The respondent in its defence explains that it will not be attending the hearing but also that under new rules it was obliged to make a deduction from the payments in respect of tax. The response does not seem to comment on the benefits question. The defence/response goes on to suggest that the claimant needed to seek reimbursement from HMRC although the defence also suggested that the payment might be forthcoming directly from the respondent.

4. Having regard to the position of the respondent, the Tribunal wrote to the claimant on 16 September 2019 inviting her to consider withdrawing her claim if she had received the due payments. The claimant was asked to reply to that letter by 26 September 2019. As far as I am aware the claimant did not reply.
5. She has not attended the hearing today and had not, in advance, given any reason or explanation for this. I assume therefore that the claimant has now received payment of the sums she claimed either from the respondent or possibly from HMRC. In those circumstances the claim is being dismissed.

Employment Judge Little  
Date 4<sup>th</sup> October 2019