



EMPLOYMENT TRIBUNALS

Claimant: Mrs K Dec

Respondent: G Rose Care Ltd t/a Lavender Lodge Care Home

HELD AT: Manchester

ON:

6 March 2020

BEFORE: Employment Judge Franey (sitting alone)

REPRESENTATION:

Claimant: In person

Respondent: Did not attend

JUDGMENT

1. The title of the respondent in these proceedings is amended to G Rose Care Ltd t/a Lavender Lodge Care Home to reflect the proper corporate title of the company that employed the claimant.

2. The reference made under section 11 Employment Rights Act 1996 in respect of payslips is not well founded. Under section 11(3)(b) the Tribunal has no power to determine the accuracy of an amount stated on the payslip.

3. The complaint of unauthorised deductions from pay is well founded. The respondent is ordered to pay the claimant the total gross sum of **£335.00** which is made up of the following:

(a) The sum of £64 deducted in respect of DBS fees;

(b) The sum of £96 owed in respect of hours worked, and

(c) The sum of £175 under section 24(2) Employment Rights Act 1996 as an amount appropriate in all the circumstances to compensate the claimant for financial loss (in the form of reduction in her Universal Credit) attributable to those deductions.

4. If the claimant wishes to make an application for the respondent to reimburse the expenses incurred in attending the hearing today she should do so in writing (sending a copy to the respondent) within 14 days of when this judgment is sent to the parties. I will deal with that application on paper once the respondent has had 14 days to respond to it.

Postscript

After judgment as above was delivered in the hearing, it transpired that the respondent's representative had been in Alexandra House but delayed by security procedures. The hearing had gone ahead in the absence of Ms Pollard and her colleague. That can be put right by a reconsideration application which should be made in writing (copied to the claimant) within 14 days of the date this judgment is sent to the parties. The claimant should respond to any application promptly. If this judgment is revoked the hearing will take place afresh before me at 10am on **Tuesday 5 May 2020**.

Employment Judge Franey

6 March 2020

JUDGMENT SENT TO THE PARTIES ON

9 March 2020

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2414318/2019**

Name of case: **Mrs K Dec** v **G Rose Care Ltd**
t/a Lavender Lodge Care
Home

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant decision day" is: **9 March 2020**

"the calculation day" is: **10 March 2020**

"the stipulated rate of interest" is: **8%**

For the Employment Tribunal Office