



EMPLOYMENT TRIBUNALS

Claimant: Ms K Dec

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

HEARD AT: Manchester **On:** 11 August 2020

BEFORE: Employment Judge Batten

REPRESENTATION:

For the Claimant: in person

For the Respondent: Ms D Pollard, Registered Manager

JUDGMENT

The judgment of the Tribunal is that:

1. the complaint of unauthorised deductions from pay is well-founded. The respondent is ordered to pay to the claimant compensation in the total sum of **£400.40** which comprises:
 - (a) the net sum of £161.32 owed in respect of wages;
 - (b) the sum of £64.00 deducted in respect of DBS fees; and
 - (c) the sum of £175.12 being the claimant's financial loss attributable to those deductions, in the form of a reduction in her Universal Credit payments.
2. the reference under section 11 of the Employment Rights Act 1996 in respect of payslips is not well-founded. The Tribunal has no power to determine the accuracy of an amount stated on a payslip.

Employment Judge Batten
11 August 2020

JUDGMENT SENT TO THE PARTIES ON
14 August 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.

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at

www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".

3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.

4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).

5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.

6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.