



EMPLOYMENT TRIBUNALS

Claimant: Mrs Toni Towell
Respondent: Kirby Homes Sunningdale Ltd (in voluntary liquidation)
On: 14 December 2020
Before: Employment Judge M Warren

Representation

Claimant: In Person
Respondent: Did not attend

COVID-19 Statement on behalf of Sir Ernest Ryder, Senior President of Tribunals

This has been a remote hearing on the papers which has not been objected to by the parties. The form of remote hearing was by Cloud Video Platform (V). A face to face hearing was not held because it was not practicable during the current pandemic and all issues could be determined in a remote hearing on the papers.

JUDGMENT

1. The Time for presenting a response having expired and no valid response having been presented in time, the Claimant's claim for unfair dismissal succeeds. The Respondent shall pay the Claimant compensation in the sum of £36,217 which includes a Basic Award of £4,725.
2. The Respondent having failed to provide the Claimant with written terms and conditions of employment as required by sections 1 and 4 of the Employment Rights Act, the Respondent shall pay the Claimant compensation in the maximum amount pursuant to section 38 of the Employment Act 2002 in the sum of £2,051.
3. Having heard evidence from the Claimant, her claim for unpaid wages in respect of sickness absence fails.

4. For the avoidance of doubt, the total payable by the Respondent to the Claimant under the terms of this Judgment is **£38,268**.

Employment Judge M Warren 14 December 2020

JUDGMENT SENT TO THE PARTIES ON

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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

All 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.