

EMPLOYMENT TRIBUNALS

Claimant: Mr Carl Smith

Respondent: Light Ash Farm Shop and Café Limited

HELD AT: Manchester **ON:** 03 Feb 2021

BEFORE: Employment Judge Wheat (sitting alone)

REPRESENTATION:

Claimant: Ms Alice Jones (Partner of Mr Carl Smith)

Respondent: Ms Ray Howard (of QHR Solutions)

JUDGMENT

1. The name of the respondent is amended by consent from: "Light Ash Farm Shop and Café" to "Light House Farm Shop and Café Limited".
2. The parts of the claim that relate to statutory sick pay and tax liability are dismissed on withdrawal.
3. The claim for compensation for breach of confidentiality is dismissed as the Employment Tribunal does not have jurisdiction to hear it.
4. The claim made under section 13(1) of the Employment Rights Act 1996 succeeds. The respondent made an unauthorised deduction from the claimant's wages on the 5th of June 2020. The respondent is ordered to repay the claimant the sum of £477.78 (net).

Employment Judge Wheat

03 Feb. 2021

JUDGMENT SENT TO THE PARTIES ON

25 March 2021

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.

The “Code V” in the heading indicates that this hearing was held by way of the HMCTS “Cloud Video Platform”. Neither side requested an in person hearing and it was in accordance with the overriding objective to conduct the hearing by video conference call.



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2409011/2020**

Name of case: **Mr C Smith** v **Light Ash Farm Shop and Café Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding discrimination or equal pay awards or sums representing costs or expenses), shall carry interest where the sum remains unpaid on a day ("*the calculation day*") 42 days after the day ("*the relevant judgment day*") that the document containing the tribunal's judgment is recorded as having been sent to the parties.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant judgment 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 judgment day" is: **25 March 2021**

"the calculation day" is: **26 March 2021**

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

For and on Behalf of the Secretary of the Tribunals