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EMPLOYMENT TRIBUNALS (SCOTLAND)

**Case No 4110220/2021 (V)
(As per attached Schedule)**

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Held via Cloud Video Platform (CVP) on 1 March 2022

Employment Judge Murphy (Sitting alone)

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Mr M Ronald

**First Claimant
& other claimants
Per attached Schedule
Represented by
Ms A Bowman,
Solicitor**

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BD2011 Ltd

**First Respondent
Not present and
Not represented**

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Blue Dog

**Second Respondent
Not present and
Not represented**

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Bishopgate Consultants Ltd

**Third Respondent
Not present and
Not represented**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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1. The claimants were at all material times the employees of the First Respondent. The claims against the Second and Third Respondents are dismissed.

2. The First Respondent has made unauthorised deductions from wages contrary to section 13 of the Employment Rights Act 1996 from all claimants listed in the Schedule between November 2020 and 25 June 2021 or the earlier termination of the employment where applicable. The First Respondent is ordered to pay sums to the respective claimants as follows:

- (i) Matthew Ronald, the sum of ONE THOUSAND ONE HUNDRED AND ELEVEN POUNDS STERLING AND EIGHTY PENCE (**£1,111.80**);
- (ii) John Russell, the sum of EIGHT HUNDRED AND SIXTY-FIVE POUNDS STERLING AND TWENTY FOUR PENCE (**£865.24**);
- (iii) Alastair Beattie, the sum of EIGHT HUNDRED AND EIGHT POUNDS STERLING AND FORTY PENCE (**£808.40**);
- (iv) Eilidh McIntosh, the sum of ONE THOUSAND AND FIFTY-NINE POUNDS STERLING AND EIGHTY PENCE (**£1,111.80**);
- (v) Charles Asson, the sum of EIGHT HUNDRED AND EIGHTY TWO POUNDS STERLING (**£882.00**);
- (vi) Ross, Campbell, the sum of ONE THOUSAND AND FIFTY-THREE POUNDS STERLING AND SEVENTY PENCE (**£1,053.70**);
- (vii) Kyle Stewart, the sum of FIVE HUNDRED AND NINETY POUNDS STERLING AND FIFTY SIX PENCE (**£590.56**);
- (viii) Mairi McDowall, the sum of FIVE HUNDRED AND FORTY POUNDS STERLING (**£540**);
- (ix) Gaia Detorri, the sum of SEVEN HUNDRED AND EIGHT POUNDS STERLING (**£708**);
- (x) Kerryn Stock, the sum of FOUR HUNDRED AND SEVENTY-SIX POUNDS STERLING (**£476**); and
- (xi) John Morrison, the sum of ONE THOUSAND ONE HUNDRED AND NINETY POUNDS STERLING AND TWENTY PENCE (**£1,190.20**).

3. The sums awarded in item 2 are expressed gross of tax and national insurance. It is for the respondent to make any deductions lawfully required to account to HMRC for tax and employees' national insurance due on the sum, if applicable.

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Background

1. The claimants brought claims for unauthorised deductions from wages against the First and Second Respondent. The First Respondent alleged that the employment of the claimants transferred to Bishopgate Consultants Ltd pursuant to a services agreement between the First Respondent and that company, alleged to have been entered on 6 January 2021. Bishopgate Consultants Ltd was added to the proceedings as the Third Respondent. It failed to present a response within the time limit for doing so. The responses of the First and Second Respondents were struck out by a judgment dated 25 February 2022. Rules 21(2) and (3) of the Employment Tribunal Rules 2013, therefore, apply to all three respondents.
2. A Notice of Hearing was served on the three respondents. They did not attend and nor were they represented at the hearing. The hearing took place by video conferencing.
3. Oral reasons were given at the hearing. Written reasons will not be provided unless they are asked for by a party within 14 days of the sending of this written record of the decision.

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Employment Judge: L Murphy
Date of Judgment: 4 March 2022
Entered in register: 7 March 2022
and copied to parties

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Multiple Schedule

Multiple:

4100056 - BD2011 Limited

Case Number	Case Name
4110220/2021	Mr Matthew Ronald -v- Bishopgate Consultants Ltd & Others
4110221/2021	Mr john morrison -v- BD2011 Limited & Others
4110222/2021	Ms mairi mcdowall -v- BD2011 Limited & Others
4110223/2021	Mr alastair beattie -v- BD2011 Limited & Others
4110224/2021	Miss eildh mcintosh -v- BD2011 Limited & Others
4110225/2021	Miss gaia dettori -v- BD2011 Limited & Others
4110226/2021	Mr john russell -v- BD2011 Limited & Others
4110227/2021	Mr kyle stewart -v- BD2011 Limited & Others
4110228/2021	Miss kerry stock -v- BD2011 Limited & Others
4110229/2021	Mr charlie asson -v- BD2011 Limited & Others
4110230/2021	Mr r campbell -v- BD2011 Limited & Others