



EMPLOYMENT TRIBUNALS

Claimant: Mrs P Broom

Respondent: Evanscare Ltd

Heard at: London South **On:** 8 April 2022

Before: Employment Judge Khalil (sitting alone)

Appearances

For the claimant: in person, assisted by her husband Mr Broom

For the respondent: No attendance

JUDGMENT ON COSTS WITH REASONS

Decision

The Tribunal makes a Preparation Time Order in favour of the claimant. The respondent is Ordered to pay the claimant the sum of £1,189 in respect of the claimant's preparation time costs.

Reasons

1. The claimant succeeded in her claims for unauthorised deductions from wages and unfair dismissal. Judgment was given on 28 October 2021. A Judgment with reasons was sent to the parties on 23 November 2021.
2. By a written application dated 24 November 2021, the claimant applied for its preparation time costs.
3. A response was entered in this claim, which was permitted out of time. A Case Management Hearing took place on 25 November 2019 at which various Case Management Orders were made. The respondent was in attendance.
4. The respondent has not done anything since. There has been no engagement with the claimant or the Tribunal. There has been no compliance with any of the Tribunal's orders, including disclosure and the non-provision of a Bundle. There was no attendance at the final Hearing and there was no communication

thereafter. The respondent was aware that the case was proceeding as a conversation took place between the respondent and a clerk on day 1.

5. The response has not been actively pursued since 25 November 2019. The claim could have been conceded and a Remedy Hearing may not have been needed either having regard to the numerical sums involved in respect of the unauthorised deductions claim and because the claimant had secured a better paid permanent job since her termination of her employment with the respondent.
6. The claimant's claim for preparation time costs does not include time spent completing the claim form, considering the response or the application for the response to be accepted out of time all of which pre-dates 25 November 2019.
7. The respondent was invited to provide a statement of means and to comment on the claimant's application on 9 December 2021 within 14 days. It did not do so.
8. The respondent has had no regard or respect for the Tribunal process and is not present today either.
9. The Tribunal exercises its discretion to make an award. The claimant's claim for 29 hours of preparation time by reference to the claimant's table/schedule in its written application is reasonable and proportionate under Rule 79 (1).
10. An award is made for 29 hours at £41.00 per hour which totals £1,189.

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Employment Judge Khalil

8 April 2022