



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Stephen Smith

**Respondents:**

- (1) The Wilson Hall Social Club
- (2) Cradley Labour Club
- (3) Richard Priest trading as The Wilson Hall Social Club
- (4) Bruce Priest trading as The Wilson Hall Social Club
- (5) Trevor Jones trading as The Wilson Hall Social Club
- (6) Richard Priest trading as Cradley Labour Club
- (7) Bruce Priest trading as Cradley Labour Club
- (8) Trevor Jones trading as Cradley Labour Club

**Heard at:** Birmingham Employment Tribunal (remote)      **On:** 30.05.2022

**Before:** Judge L Mensah remotely

**Representation**

**Claimant:** In person accompanied by his son Mr Luke Smith  
**Respondent:** No attendance

## JUDGMENT

1. The Tribunal decided as follows:
  - i. The Respondents identified were trading from the following address, The Woodlands, Colley Gate, Halesowen, West Midlands, B63 2BU.
  - ii. The Claimant was employed from [Sunday] 18.06.2017 to the 17.01.2020. He has two full years service at the date of dismissal.
  - iii. The Claimant's claim for Unfair Dismissal is made out. I award the following
    - a. **Basic award:** £1,320.00 [Gross]
    - b. **Compensatory award:** Loss of wages fixed from the 18.01.2020 to the 28.12.2020 is £17,485.71

- c. No award for loss from the 28.12.2020 or for future loss.
- d. I award a 25% for failure to follow the ACAS code [total £21,857.14]

**Others losses**

- iv. Pension claim. I award the sum of £12.88 from 18.01.2020 to 29.12.2020 which is £841.50.
- v. I award 4 weeks pay for failure to provide a complaint statement of particulars £1417.76 net
- vi. I award for loss of statutory rights £350.00
- vii. The claim for loss of benefit of accommodation is not made out.
- viii. The Holiday pay claim is made out to the extent I award 2 weeks £708.88 as accrued but untaken holiday.
- ix. The Recoupment Regulations apply to this award. The prescribed element is £21,857.14 net. The period prescribed is the 18.01.2020 to the 29.12.2020. The excess of the prescribed element is £4,638.14. The annex to this judgment explains the operation of the Recoupment Regulations.

**Total award £26,495.28**

Employment Judge Mensah  
30.05.2022

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](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.