



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss A Ball

**Respondents:** 1<sup>st</sup> Civils Ltd (1)  
Hudson Reign Developments Ltd (2)

**Heard at:** Manchester

**On:** 13 October 2022

**Before:** Employment Judge Phil Allen

## REPRESENTATION:

**Claimant:** In person

**Respondents:** Did not attend (no responses having been submitted)

# JUDGMENT

The judgment of the Tribunal is that:

1. The claimant transferred under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) from the first respondent (1<sup>st</sup> Civils Ltd) to the second respondent (Hudson Reign Developments Ltd) on 9 November 2020.
2. The claimant was unfairly dismissed by the second respondent (Hudson Reign Developments Ltd) on 9 November 2020.
3. The claimant is awarded a basic award for unfair dismissal to be paid by the second respondent (Hudson Reign Developments Ltd) of **£1,614**.
4. The claimant is awarded a compensatory award for unfair dismissal (including an uplift of 20% as a result of the second respondent's unreasonable failure to follow the ACAS code of disciplinary and grievance procedures) to be paid by the second respondent (Hudson Reign Developments Ltd) of **£47,249**.
5. There were unauthorised deductions made from the claimant's wages of **£6,607**. The unauthorised deductions were made by the first respondent (1<sup>st</sup>

Civils Ltd), but are the liability of (and must be paid by) the second respondent (Hudson Reign Developments Ltd) as a result of the TUPE transfer.

6. The second respondent (Hudson Reign Developments Ltd) failed to pay the claimant the amount due for accrued but untaken annual leave outstanding as at the termination date and must pay the claimant the sum of **£3,884** (a sum which has been uplifted by 20% as a result of the second respondent's unreasonable failure to follow the ACAS code of disciplinary and grievance procedures).
7. The second respondent breached the claimant's contract of employment by dismissing her without notice or pay in lieu of notice and is ordered to pay the claimant damages in the sum of **£5,119**.
8. The claims against the first respondent did not succeed and are dismissed, it having been found that the claimant transferred to the second respondent.

Employment Judge Phil Allen

13 October 2022

JUDGMENT SENT TO THE PARTIES ON

19 October 2022

FOR THE TRIBUNAL OFFICE

**Notes**

Reasons for this 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.

**NOTICE****THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990  
ARTICLE 12**

Case number: **2400040/2021**

Name of case: **Miss A Ball** v **1. 1st Civils Ltd  
2. Hudson Reign  
Developments Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

**the relevant decision day** in this case is: 19 October 2022

**the calculation day** in this case is: 20 October 2022

**the stipulated rate of interest** is: **8% per annum.**

For the Employment Tribunal Office