



EMPLOYMENT TRIBUNALS

Claimant: Ms Lynn Butterworth

Respondents: (1) Simon Mycock
(2) Wentworth International College Limited
(3) Sussex Locations Limited, in compulsory liquidation

Heard in Ashford

On: 31 October 2022 & 20 January 2023

Before: Employment Judge Corrigan

Appearances

For the claimant: Mr M Foster, Solicitor

For the respondents: Mr S Mycock

JUDGMENT

First respondent

1. The claimant's claim of unlawful deduction of wages against the first respondent is well-founded and the claimant is awarded:
 - 1.1 £2,267.20 wages (subject to deductions for tax and National Insurance) to be paid by the first respondent to the claimant.
 - 1.2 £45.34 to reflect the pension contributions due, to be paid by the first respondent to the claimant.
2. The claimant was entitled to a payment of £244.16 holiday pay (subject to deductions for tax and National Insurance) to be paid by the first respondent to the claimant.
3. The claimant is awarded an uplift of £348.80 to be paid by the first respondent to the claimant (4 weeks' pay due to the failure to provide written particulars of employment).
4. The total award to be paid by the first respondent to the claimant is £2,905.50 (subject to the above deductions for tax and National Insurance).

5. An award of costs of £60 was made to reflect the first respondent's failure to produce a copy of his own documentation for this hearing, relying on the claimant's solicitor to do it on his behalf.

Second respondent

6. The claim for breach of contract is upheld and the claimant is awarded damages of £10,704.68.
7. This sum consists of £2354.84 net wages outstanding for the period January-March 2020 and £8349.84 net wages outstanding for the period April – October 2020. Payment of tax and National Insurance has already been made.
8. The claimant was entitled to accrued untaken holiday pay of £1,344 (subject to the appropriate deductions for tax and National Insurance).
9. The claimant's claim of unlawful deduction of wages is well-founded and the claimant is awarded £540 pension contributions to be paid by the second respondent to the claimant.
10. The total award to be paid by the second respondent to the claimant is £12,588.68 (subject to the above deductions for tax and National Insurance).

**Employment Judge Corrigan
Ashford**

20 January 2023