



EMPLOYMENT TRIBUNALS

Claimant: Mr I Davies & Others
Respondent: Capita Business Services Limited
Heard at: Cardiff by Cloud Video Platform
On: 23 and 24 January 2023
Before: Employment Judge K Hunt

Representation

Claimant: Ms Hart (counsel)
Respondent: Mr Salter (counsel)

JUDGMENT

1. The Claimant has complied with the ACAS EC provisions at s.18A Employment Rights Act 1996 (ERA 1996) and the claim is in time in accordance with s.23 ERA 1996 and the Tribunal has jurisdiction to hear the claim.
2. The Claimant's claim for unlawful deduction of wages is well founded. There was an unlawful deduction made on the implementation of the 2020 pay award and back pay due on 30 November 2020, which unlawful deduction is ongoing.
3. The award for repayment of the unlawful deduction made on 30 November 2020 and accruing up to and including 23 January 2023 and any financial losses attributable is to be determined and unless the parties reach agreement on the outstanding issue of overtime and write to the Tribunal no later than 21 February 2023, the case will be re-listed for a 2 hour remedy hearing.

Employment Judge **K Hunt**

Date 24 January 2023

JUDGMENT SENT TO THE PARTIES ON 14 February 2023

FOR THE TRIBUNAL OFFICE Mr N Roche

Notes

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.

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