



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss E Hartley  
**First Respondent:** Matthew Patterson  
**Second Respondent:** Innovative Gifting Group Ltd  
**Third Respondent:** Mattco Gift Retailing Ltd

**Heard at:** Newcastle, by video                      **On:** 9 February 2022

**Before:** Employment Judge Aspden

## Appearances

For the claimant: In person  
For the respondent: No attendance

## JUDGMENT

The judgment of the Tribunal is:

1. By virtue of regulation 4 of the Transfer of Undertakings (Protection of Employment) Regulations 2006:
  - a. the claimant's employment with the third respondent was transferred to the second respondent in August 2022; and
  - b. all of the third respondent's duties and liabilities under or in connection with that contract were transferred to the second respondent.
2. The claimant's complaint that the second respondent made deductions from her wages in contravention of section 13 of the Employment Rights Act 1996 by failing to pay wages for September, October and November 2022 is well founded.
3. The second respondent (Innovative Gifting Group Ltd) must pay to the claimant £7350 (subject to any deductions the respondent is required by law to make and pay to HMRC in respect of income tax or national insurance referable to that sums), being the amount remaining due of the sums deducted from the claimant's wages in contravention of section 13 of the Employment Rights Act 1996.
4. The claims against the first and third respondents are dismissed.

Employment Judge Aspden

9 February 2023

Note

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.