



EMPLOYMENT TRIBUNALS

Claimant: Mr C Porteous

Respondents: (1) ID SSC LIMITED
(2) Mr Iain Donnelly
(3) Sportscool Guildford

Heard at: Remotely by Video Hearing System (VHS)

On: 12th May 2023

Before: Employment Judge Lambert

Representation

Claimant: Mr J Porteous, solicitor

Respondents: No attendance for 1st, 2nd or 3rd Respondent.

JUDGMENT

1. The Claimant is entitled to immediate payment of **£1,389.93** from the First Respondent.
2. The complaints against the Second and Third Respondent are dismissed on withdrawal.

REASONS

History or Proceedings

1. It was apparent from the Tribunal file that no responses had been received from any of the Respondents. The Claim Form and Acknowledgement of Claim documents ("the **Claim Documentation**") had been served upon the last known address of the Second Respondent (who was also the sole director of the First and Fourth Respondent).
2. On 15th July 2022, the Tribunal re-served the Claim Documentation upon

the Registered Office of the First Respondent as listed at Companies House. I made checks using the Companies House website during the hearing to confirm that the Registered Office remained the same and the First Respondent was not in an insolvency procedure.

3. I was satisfied that the Claim Documentation had been properly served upon the First Respondent.
4. No responses had been received from any of the Respondents.
5. The Third Respondent was issued with a notice to confirm that no response had been received and under Rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 ("**ET Rules**") judgment may now be issued against it.
6. The claim against the Fourth Respondent was rejected by the Tribunal on 3rd August 2022 as being a duplicate claim against the same Respondent. The Claimant accepted that the First Respondent and Fourth Respondent were the same.
7. No representative for any of the Respondent's attended the hearing. Having considered that no responses were received; the Claim Documentation had been properly served and having regard to the overriding objective, including the costs and inconvenience this non-attendance has caused to the Claimant, I determined that I had sufficient information to proceed with the hearing under Rule 47 of the ET Rules.

Finding of Facts

8. The Claimant was employed by the First Respondent as a Trainee Multi-Sports coach from 5th October 2021 until his employment ended on 15th January 2022.
9. The Claimant was informed by email from Mr Donnelly, acting on behalf of the First Respondent, that the First Respondent had financial difficulties and was ending the Claimant's employment with immediate effect on 15th January 2022.
10. Despite promises made by the First Respondent that the Claimant would be paid his outstanding wages for December and January and expenses, no payments were made.
11. The Claimant was entitled to be paid at the rate of 20p per mile.
12. The Claimant is owed the following sums:

Wages:

December 2021

15 days worked x 6.25 hrs x £8.36 = £783.75

January 2022

4 days worked x 6.25hrs x £8.36 = £209.00

Holiday Pay:

50 hours x £8.36 = £418.00

Expenses:

December: £150.60

January: £28.58

Sub- Total: £1,589.93

Less £200 (see below) = **£1,389.93.**

13. The Claimant confirmed that he had received £200 from the First Respondent in January 2021. This has been deducted from the total claimed by the Claimant.
14. The total sum owed by the First Respondent to the Claimant is £1,589.93 (as calculated above) less £200 already received, giving a total sum owed of **£1,389.93.**
15. The Claimant acknowledged that he was not employed by the Second Respondent or Third Respondent and withdrew his claims against them.

Employment Judge Lambert
Date: 12th May 2023

Judgment sent to the Parties on 23 May 2023

For the Tribunal Office