



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs J Parry

**Respondent:** Crispy Cod Ketley Ltd

**Heard at:** 10am **On:** 29 June 2023

**Before:** Employment Judge Wright

## Representation

**Claimant:** Mrs J Hayward (Lay representative – mother of the Claimant)

**Respondent:** Did not attend

# JUDGMENT

1. The Claimant's claim against the Respondent for Unfair Dismissal succeeds
2. The Claimants claim for Wrongful Dismissal succeeds
3. The Claimant's claim for Unlawful Deduction of Wages succeeds
4. The Claimant's claim for Holiday Pay succeeds
5. The Claimant's claim for failure to provide a Written Statement of Terms and Conditions succeeds.
6. The Claimant's claim that the Respondent has failed to give the Claimant any itemised pay statements in accordance with section 8 of the Employment Rights Act 1996 succeeds.

## Compensation

The Respondent is ordered to pay the Claimant **£14,628.50**. The Breakdown of this amount is as follows:

1. Compensation for Unfair Dismissal

The Respondent is ordered to pay: **£10,894.50**.

This includes a basic award of £437 and a compensation award comprising:

a) Loss of earnings post dismissal of 36 weeks' gross pay of £7,866. This has been calculated as gross pay because the Claimant is paid minimum wage (but works another job in the daytime), and the Respondent has not provided the Claimant with any wage slips or breakdown of her pay throughout her employment, so it is not possible to understand what deductions have been made, lawful or otherwise.

b) A compensation award of £500 for loss of statutory rights.

Both amounts in a and b are subject to an uplift of 25% for failure to follow the ACAS Code of Practice on Disciplinary and Grievance Procedures.

## 2. Wrongful Dismissal

The Claimant has been awarded 2 weeks wages at £218.50 per week. The Claimant's 2 weeks' notice has been included under the Unfair Dismissal award in point 1 above and has been offset against the above award. No separate payment is therefore ordered to be paid for this period. The Claimant has also been awarded holiday pay that would have accrued over her notice period of 5.1 hours. The Respondent is ordered to pay **£48.50** in respect of this.

## 3. Unlawful Deduction of Wages

The Respondent is ordered to pay the Claimant £133 in respect of unpaid wages in October 2022 and £133 in respect of unpaid wages in November 2022, totalling **£266**.

## 4. Holiday Pay

The Respondent is ordered to pay the Claimant **£2,545.05** in holiday pay accrued and unpaid at the date of termination.

## 5. Written Statement of Terms and Conditions

The Respondent is ordered to pay the Claimant **£874** for failure to provide a written statement of terms and conditions.

6. The tribunal makes a declaration only that the Respondent has failed to give the Claimant any itemised pay statements in accordance with section 8 of the Employment Rights Act 1996.

The Claimant is responsible for accounting to HMRC for any tax that may be due on the above awards.

**Case No: 1301688/2023**  
**Employment Judge K Wright**

Date:30 June 2023