



EMPLOYMENT TRIBUNALS

Claimant: Ms U Ikram

Respondent: The Gloss Clinic

Heard at: London Central by CVP **On:** 08.02.2024

Before: Employment Judge David Hughes

Representation

Claimant: In person

Respondent: No appearance

JUDGMENT

The judgment of the Tribunal is as follows:

1. The Claimant's claim was not presented within the time period provided for by s23(2) of the Employment Rights Act 1996, but that it was not reasonably practicable for the Claimant to have presented it within that time limit and the claim was presented within such further time period as the Tribunal considers reasonable;
2. The complaint of unauthorised deductions from wages is well-founded. The Respondent made an unauthorised deduction from the Claimant's wages in the period December 2022 to March 2023;
3. The Respondent shall pay the Claimant £2,546, which is the gross sum deducted. The Claimant is responsible for the payment of any tax or National Insurance;
4. The Respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to increase the compensatory award payable to the claimant by 20% in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992, the increase amounting to £509.20;
5. When the proceedings were begun the Respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is not just

and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the Respondent shall therefore pay the Claimant £880;

6. The total amount payable by the Respondent to the Claimant is £3,935.20.

Employment Judge Hughes

Date 08.02.2024

JUDGMENT SENT TO THE PARTIES ON

16 February 2024

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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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>