



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Miles Lawrence Kidby  
**Respondent:** McMullen & Sons Limited  
**Heard at:** Watford by CVP      **On:** 09.02.2024  
**Before:** **Employment Judge** David Hughes

## Representation

Claimant: Mr John Kidby, father  
Respondent: Ms Sandra Sheahan, head of HR

# JUDGMENT

The Judgment of the Tribunal is as follows:

1. The complaint of unauthorised deductions from wages is well-founded. The Respondent made an unauthorised deduction from the Claimant's wages in the period September 2022 to May 2023;
2. The Respondent shall pay the Claimant £1,745, which is the gross sum deducted. The Claimant is responsible for the payment of any tax or National Insurance.
3. 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 the further sum of £ 1,429.12.

Employment Judge Hughes

Date 09.02.2024

JUDGMENT SENT TO THE PARTIES ON  
05/03/2024

For the Tribunal Office

**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](http://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/>