



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Gillen and others

**Respondent:** Hextransforma Healthcare Limited (in administration)

**Heard at:** London South Employment Tribunal via video hearing

**On:** 22 November 2023

**Before:** Employment Judge Fitzgerald

## Representation

**Claimants:** In person

**Respondent:** did not attend

# JUDGMENT

At the hearing on 22 November 2023 the Tribunal requested written confirmation from the Respondent's administrators, Begbies Traynor, to confirm that they have consented to these Employment Tribunal claims proceeding. A letter was provided to the Tribunal dated 22 June 2023, however there was some ambiguity in that letter and it was not completely clear whether the administrators consented to claims of unlawful deduction of wages and holiday pay (balance of sums that cannot be claimed from Redundancy Payments Office) proceeding.

Therefore it was ordered that the Claimants must obtain and submit to the Tribunal as soon as possible a letter from the administrators confirming specifically that their claims could proceed. That letter has now been provided (dated 20 December 2023) and therefore this Judgment can now be issued.

The Judgment is issued in respect of Claimants 1-4. The remaining Claimants should refer to the Case Management Order dated 22 November 2023 for next steps relating to their claim.

**Case Nos. 2300060/2022 and others**  
**2300350/2022**  
**2301783/2022**

Claimant 1 - Ms Gillen - 2300060/2022 and 2300061/2022

1. The Claimant was not paid earnings by the Respondent for the months of October, November and December 2021. In addition she was not paid for part of January 2022 (up to 4 January 2022).
2. The Claimant's claims for unlawful deductions of wages are successful and she is awarded loss of earnings from 1 October 2021 until 4 January 2022.
3. The Claimant has claimed payments from the Redundancy Payments Service and has received partial reimbursement for which she must account.
4. The outstanding sum which the Respondent must pay to the Claimant is £2,586.93 net.

Claimant 2 - Mr K Morris – 2300065/22

5. The Claimant was not paid earnings by the Respondent for the months of September and October 2021. In addition he was not paid for part of November 2021 (up to 11 November 2021).
6. The Claimant's claims for unlawful deductions of wages are successful and he is awarded loss of earnings from 1 September 2021 until 11 November 2021.
7. The Claimant has claimed payments from the Redundancy Payments Service and has received partial reimbursement for which he must account.
8. The outstanding sum which the Respondent must pay to the Claimant is £14,828.42 net.

Claimant 3 - Ms M Collot – 2300350/22

9. The Claimant was not paid earnings by the Respondent for the months of October, November and December 2021. In addition she was not paid for part of January 2022 (up to 7 January 2022).

**Case Nos. 2300060/2022 and others**  
**2300350/2022**  
**2301783/2022**

10. The Claimant's claims for unlawful deductions of wages are successful and she is awarded loss of earnings from 1 October 2021 until 7 January 2022.
11. The Claimant has claimed payments from the Redundancy Payments Service and has received partial reimbursement for which she must account.
12. The outstanding sum which the Respondent must pay to the Claimant is £2,966.59 net.
13. In addition the Claimant's claim of holiday pay is successful and the Respondent is ordered to pay 5.168 days' holiday in the sum of £511.48 net.

Claimant 4 - Ms L Clennell – 2301783/22

14. The Claimant was not paid earnings by the Respondent for the months of January and February 2022. In addition she was not paid for part of March 2022 (up to 25 March 2022).
15. The Claimant's claims for unlawful deductions of wages are successful and she is awarded loss of earnings from 10 January 2022 until 25 March 2022.
16. The Claimant has claimed payments from the Redundancy Payments Service and has received partial reimbursement for which she must account.
17. The outstanding sum which the Respondent must pay to the Claimant is £6,998.02 net.

Employment Judge Fitzgerald  
4 April 2024

---

**Case Nos. 2300060/2022 and others**  
**2300350/2022**  
**2301783/2022**

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/employmenttribunal-decisions](http://www.gov.uk/employmenttribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.