



EMPLOYMENT TRIBUNALS

Claimant: Mrs N Mahmoud

Respondent: Ashes Care Group Limited

JUDGMENT ON LIABILITY AND REMEDY

Employment Tribunals Rules of Procedure 2013 – Rule 21

The Judgment of the Employment Tribunal is as follows:

1. Under section 163 Employment Rights Act 1996 it is determined that the claimant is entitled to a redundancy payment in the sum of **£6,705.27**.
2. The complaint of unauthorised deduction of wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 1 March 2024 to 15 March 2024.
3. The respondent shall pay the claimant **£687.72**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or national insurance.
4. The complaint of breach of contract in relation to notice pay is well-founded. The respondent shall pay the claimant **£2,750.88** as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post-Employment Notice Pay.
5. The complaint in respect of holiday pay is well-founded. The respondent failed to pay the claimant in accordance with Regulations 14(2) and 16(1) of the Working Time Regulations 1998.
6. The respondent shall pay the claimant **£343.86**. The claimant is responsible for paying any tax or national insurance.
7. Total award = £10,487.73

REASONS

1. The claimant submitted her ET1 form to the Employment Tribunal on 3 June 2024. A copy of the claim form was forwarded by the Tribunal on 18 June 2024 to the respondent at an address from which it operated and the respondent had until 16 July 2024 to file a response. No response has been received from the respondent.

2. The claimant stated in the ET1 the amounts claimed for redundancy pay, wages, notice pay and holiday pay.
3. As no response has been received by the Tribunal from the respondent, the above Judgment has been entered without a hearing on the basis of the information provided by the claimant and in accordance with Rule 21 of the Employment Tribunal Rules of Procedure 2013.

Employment Judge Arullendran

Date: 17 July 2024

Note: This has been a remote hearing which has not objected to by the parties. The form of remote hearing was on the papers. A face to face hearing was not held because it was not practicable, no-one requested the same and all the issues could be determined in a remote hearing.

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