



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr G Smith

**V The Insolvency Service
Redundancy Payment Service**

Heard at: Watford Tribunal

On: 12 July 2024

Before: Employment Judge Cowen

Appearances

For the Claimant: Mr Smith (in person)

For the Respondent: Did not Attend

A judgment was sent to the parties on 1 August 2024 and written reasons having been requested by the Respondent, the following are the reasons given in the oral judgment

REASONS

1. The Claimant claimed outstanding redundancy and notice pay from his former employer.
2. At the hearing on 12 July 2024, the Claimant attended, but the Respondent failed to attend but provided written submissions in which they explained their absence and agreed that the hearing should proceed in their absence. The submissions were taken into account by the Tribunal.
3. The Claimant provided a witness statement. The Claimant gave sworn evidence and agreed the content of his witness statement. He confirmed that he was owed £518.72 in redundancy pay, as no payment was received on 28 November 2022 as asserted by the Respondent. He also claimed £3,318.28 in notice pay which he asserted was unpaid.
4. The Tribunal was shown the judgment dated 23 July 2021 and correspondence from both the insolvency service and the administrator of his ex-employer SUK Retail Limited.

5. There being no evidence to contradict the evidence of the Claimant and the documents he produced, his evidence was accepted by the Tribunal.
6. The Tribunal was satisfied that these were wages which were 'properly payable' to the Claimant and that under s.13 Employment Rights Act 1996, an unlawful deduction had been made. Further the Tribunal was satisfied that the Claimant was owed the money and that he had not been paid.
7. Judgment was given for the amounts claimed, plus interest calculated from 24 July 2021 when the payment should have been made, amounting to £909.62. A total award of **£4,741.62** was made.

Employment Judge Cowen

Date: ...4 October 2024.....

Sent to the parties on: 16/10/2024

For the Tribunal Office

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/>