



EMPLOYMENT TRIBUNALS

Claimant

Respondent

v

Ms N Davies

Britcares Limited

Heard at: Watford (in person)
On: 12-13 December 2024
Before: Employment Judge French
Mr D Wharton
Mr W Dykes

Appearances

For the Claimant: In person

For the Respondent: Ms H Platt, Counsel

JUDGMENT

1. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages.
2. The respondent shall pay the claimant £198.00, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
3. The complaint of breach of contract in relation to notice pay is well-founded.
4. The respondent shall pay the claimant £1430.00 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 the Working Time Regulations 1998.
6. The respondent shall pay the claimant £792.00 gross. The claimant is responsible for paying any tax or National Insurance.
7. 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 £660.00.
8. The complaint of direct sex discrimination is not well-founded and is dismissed.

9. The complaint of harassment related to sex is not well-founded and is dismissed.
10. The complaint of direct marriage discrimination is dismissed upon withdrawal by the claimant.
11. The total sum to be paid by the respondent to the claimant is **£3080.00**.

Employment Judge French
Date: 16 December 2024

Sent to the parties on: 9/1/2025

N Gotecha
For the Tribunal Office

Note

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.

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/>