



EMPLOYMENT TRIBUNALS

Claimant: Ms K. Cole
First Respondent: Boyton Hall Ltd
Second Respondent: Mr C. Sampson-Bancroft

Heard at: Bury St Edmunds (in person) **On:** 17 and 18 February 2025

Before: EJ Islam

Representation

Claimant: In person, unrepresented

Respondent: In person, unrepresented

JUDGMENT

1. The claimant was an employee of the first respondent, Boyton Hall Ltd at the relevant time.
2. The claimant's claim in relation to unlawful deduction of wages between November 2018 and May 2023 is not well founded and therefore fails.
3. The claimant's claim for unpaid wages in respect of October 2023 until 4 November 2023 is well founded. The first respondent made an unauthorised deduction from the claimant's wages and should pay the claimant £2242.
4. The complaint in respect of holiday pay is well-founded. The first respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued and not taken on the date the claimant's employment ended. The first respondent shall pay the claimant £2500.
5. The claimant's claim for automatic unfair dismissal is not well founded and therefore fails.
6. The claimant's claim for unfair dismissal is not well founded and therefore fails.
7. The claimant's claim for notice pay is not well founded and therefore fails.

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8. When the proceedings began 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 first respondent shall therefore pay the claimant £1153.80.

9. The claimant is responsible for the payment of tax and national insurance contributions.

Approved by:

Employment Judge Islam

Date: 27 February 2025

JUDGMENT SENT TO THE PARTIES ON
8 March 2025

FOR THE TRIBUNAL OFFICE

Note

Written reasons will not be provided unless 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 shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.