



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss K Smethurst

**Respondent:** Sircus Limited

## JUDGMENT

### Employment Tribunals Rules of Procedure 2024 – Rule 22

1. The respondent has failed to present a valid response on time to these claims and a determination can properly be made of the claims in accordance with rule 22 of the Rules of Procedure.
2. The complaint of unauthorised deductions from wages is well-founded. The respondent has made an unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of **£160**.
3. The claimant was dismissed in breach of contract in respect of notice and the respondent is ordered to pay damages to the claimant in the gross sum of **£2,400**. 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.
4. The claimant was dismissed by reason of redundancy and is entitled to a redundancy payment of **£3,000**.
5. The complaint in respect of holiday pay is well-founded. The respondent failed to pay the claimant in accordance with regulation 16 (1) of the Working Time Regulations 1998. The respondent shall pay the claimant **£560**. The claimant is responsible for paying any tax or National Insurance.
6. The total amount payable by the respondent to the claimant under this judgment is **£6,120.00**.
7. The hearing listed on **5 June 2025** is cancelled.

Approved by Employment Judge Eeley

Date: 29 April 2025

JUDGMENT SENT TO THE PARTIES ON

6 May 2025

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **6003002/2025**

Name of case: **Miss K Smethurst** v **Sircus Ltd**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

**the relevant decision day** in this case is: 6 May 2025

**the calculation day** in this case is: 7 May 2025

**the stipulated rate of interest** is: **8% per annum.**

For the Employment Tribunal Office