



EMPLOYMENT TRIBUNALS

Claimant: Ms H Grindey
Respondent: Care Mithra Limited (In Receivership)

Heard at: Reading (By CVP) **On:** 24 March 2025

Before: EJ Milner-Moore

Representation

Claimant: In Person
Respondent: Mr Mugunthan (director)

JUDGMENT

Wages

1. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 01 May to 24 May 2024. The respondent shall pay the claimant £1,578.72 which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
2. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages having failed to pay sick pay in due in relation to April 2024. The respondent shall pay the claimant £226.15 which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.

Breach of contract - Notice Pay

3. The complaint of breach of contract in relation to notice pay is well-founded.
4. The respondent shall pay the claimant £380 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.

Breach of contract

5. The complaint of breach of contract succeeds in relation to failure to pass over payments of employee pension contributions deducted at a rate of 5% and in relation to failure to make employer pension contributions due at a rate of 3% to the NEST pension scheme.
6. The respondent shall pay the claimant £616 as damages for breach of contract in relation to the employee contributions and £435.94 in relation to the employer contributions.

Holiday pay

7. The complaint in respect of holiday pay is well-founded. The respondent failed to pay the claimant in accordance with regulation 14(2) and/or 16(1) of the Working Time Regulations 1998 in relation to holiday accrued up to the date of termination of her employment.
8. The respondent shall pay the claimant £342.05. The claimant is responsible for paying any tax or National Insurance.

Approved by Employment Judge Milner-Moore

Date 12 May 2025

JUDGMENT SENT TO THE PARTIES ON

13 May 2025

FOR THE TRIBUNAL OFFICE

Notes

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.

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/>