



EMPLOYMENT TRIBUNALS

Claimant: Mr Thomas Daly
Respondent: Leetent Ltd
Heard at: East London Hearing Centre (by CVP)
On: 28 April 2025
Before: Employment Judge J Bann

Representation

For the claimant: In person
For the respondent: Did not attend

JUDGMENT

Employment Tribunal Rules of Procedure 2024 –Rule 22

Wages

1. The Claim for unlawful deduction of wages is well-founded. The Respondent made an unauthorised deduction from the Claimant's wages in the period September to November 2024.
2. The Respondent is ordered to pay to the Claimant the sum of £7950, which is the net value of the amount owed. The Respondent will be responsible for paying any tax and national insurance deductions owed in respect of that sum.

Reasons

3. The claim was issued in the London East Employment Tribunal on 12 December 2024. The claim was served on the Respondent on 24 December 2024 at 3rd Floor 12 Gough Square London EC4A 3DW, which is the Respondent's address registered with Companies House. The Notice of Hearing for today's hearing was included in the same letter.

4. The Respondent did not enter a response to the claim within the 28 day deadline by 21 January 2025. The Employment Tribunal wrote to the Respondent on 3 April with notification that unless the Respondent contact the Tribunal by 17 April 2025, they will not have an opportunity to defend the claim. We have not received a response. The Employment Judge decided that a determination can properly be made of the claim in accordance with rule 22(2) of the ET Procedure Rules 2024.
5. The Claimant was a senior Trader for the Respondent from 10 May 2023 until 3 December 2024. He was paid £2560 net per month on the last day of the month. The Respondent failed to pay the Claimant in September, October and November 2024. The Claimant resigned with immediate effect on 3 December 2024.
6. The Respondent acknowledged the resignation on 3 December 2024 and stated: *"we will still make sure that all monies owing and unused leave is paid out to you."* The Respondent has failed to pay the monies owed.
7. The Claimant triggered ACAS early conciliation on 3 December 2024, receiving the certificate on 9 December 2024 and submitted the Tribunal claim alleging arrears of pay.
8. The Claimant gave oral evidence to the Tribunal and confirmed the net salary which he believed equated to £45000 pa gross. He further confirmed in oral evidence that the sum of £8750 as set out in the claim form must have included accrued but untaken annual leave but he could not recall how many days he had accrued and did not have the calculation details now to pursue that element of the claim. The Claimant confirmed that he only wished to pursue the claim for three months unpaid wages.
9. Section 13 Employment Rights Act 1996 stipulates that an employee shall not make a deduction from wages of a worker employed by him unless the deduction is required or authorised by virtue of a statutory provision or the workers contract or the worker has previously signified in writing their consent to the deduction. In this case, the Claimant's evidence is accepted that he was entitled to be paid a new monthly salary of £2650 and that the Respondent failed to make the payments in September, October and November 2024. The Respondent's response to the resignation is tacit acceptance that there were monies owed on the termination of the contract.

Approved by
Employment Judge J Bann
Date: 28 April 2025

Note

Public access to employment tribunal decisions

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimant(s) and respondent(s).

