



EMPLOYMENT TRIBUNALS

Claimant: Mr R Phillips

Respondents: Creative Republic of Cardiff Limited

Heard at: By CVP

On: 24 October 2025

Before: Employment Judge N Webb

Representation

For the Claimant: Representing himself

For the Respondent: No Appearance

JUDGMENT

1. The Respondent having informed the Tribunal they would not be attending with no good reason and there being no application for a postponement it was in the interests of justice to proceed in their absence.
2. The Claimant's application to amend the claim to include a complaint of unfair dismissal is refused. This was not a claim that was outlined in the ET1. It was reasonably practicable for the Claimant to have submitted the claim for unfair dismissal, or made an application to amend the claim, at an earlier point and the balance of prejudice falls in favour of the application being refused.
3. The claim for unlawful deduction of wages made under section 23 of the Employment Rights Act 1996 is well founded.
4. The claimant was not paid for work between 11 November and 22 November 2024. The respondent is ordered to pay the Claimant **£752.00 gross**.
5. The claimant is to be responsible for the payment of tax and National Insurance on that amount.
6. The claim for payment for holiday accrued but not taken made under regulation 30 of the Working Time Regulations 1998 is well founded.
7. The Claimant's leave year began on 01 January 2024. He accrued leave at 2.33 days

per month and did not take annual leave before he was dismissed on 22 November 2024. At the date he left the business he was entitled to 25.6 days of annual leave.

8. For the period 01 January 2024 to 31 March 2024 the claimant was paid £423.08 gross per week for 40 hours over 5 days. His daily rate of pay was £84.62 gross. He accrued 7 days annual leave in this period and was due £592.34 gross.
9. For the period 01 April 2024 to 22 November 2024 the claimant was paid £470 gross per week his daily rate of pay was £94. He accrued 18.6 days in this period and was due £1748.40 gross.
10. The claimant was due a total payment for holiday accrued but not taken in the amount of £2340.74 gross.
11. I award the claimant **£2340.74 gross**.
12. The claimant is to be responsible for the payment of tax and National Insurance on that amount.
13. The Claimant's claim for damages for Breach of Contract is made out. I award damages of **£532.50**.
14. The Respondent failed to give the Claimant a pay statement. Unnotified deductions were made by the Respondent. I order the Respondent to pay the Claimant **£83.51**
15. The total amount awarded to the Claimant for all the claims is **£3708.25**

Employment Judge N Webb

Date: 24 October 2025

JUDGMENT SENT TO THE PARTIES ON

27 October 2025

Adam Holborn
FOR THE TRIBUNAL OFFICE

Notes

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.

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