



EMPLOYMENT TRIBUNALS

Claimant: Mr James Whelan

Respondent: Brookwood Search & Selection Limited

Heard at: Watford Employment Tribunal (by video)

On: 14 January 2026

Before: Regional Employment Judge Foxwell

Representation:

Claimant: In person

Respondent: No appearance

JUDGMENT

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 from 1 August 2024 to 20 December 2024.
2. The respondent shall pay the claimant **£22,389**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.
3. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holidays accrued but not taken on the date the claimant's employment ended.
4. The respondent shall pay the claimant **£2,739**. The claimant is responsible for paying any tax or National Insurance.
5. The total sum due from the respondent to the claimant is **£25,128**.

REASONS

1. This claim, which the claimant presented to the Tribunal on 7 March 2025, is for unpaid wages and holiday pay. He went through early conciliation between 2 February and 6 March 2025.
2. The claimant attended this hearing and gave evidence under affirmation. He also produced a written witness statement and an indexed bundle of documents comprising 122 pages. I have accepted his evidence, which is cogent, credible and consistent with the documents he provided.
3. The respondent has not attended the hearing and does not appear to have actively pursued its defence to the claim for many months. I note that there is an active proposal to strike it off the register of companies. I did not think it was in the interests of justice to delay the hearing of this claim.
4. Against that background I have made the following findings of fact.
5. The respondent offered the claimant employment at an annual salary of £65,000 gross in March 2024. The claimant accepted the offer and began working for the respondent on 12 March 2024. His employment ended on 20 December 2024 when he resigned following persistent non-payment of salary.
6. The claimant told me, and I accept that, apart from one payment of £3,010 net in October 2024, he received no pay from the respondent from August 2024 until his resignation. He also told me, and I accept, that at the date of his resignation he had 11 days accrued but untaken holiday.
7. I calculate the claimant's gross monthly wages as £5,416 and his daily gross rate of pay as £249. On this basis I calculate his claim for unpaid wages as follows:

a. August	£5,416	
b. September	£5,416	
c. October	£5,416	
d. November	£5,416	
e. December	£3,735	(15 working days @ £249)

This comes to £25,399 but reduces to £22,389 once credit is given for the net payment of £3,010. The respondent is ordered to pay the sum of £22,389 to the claimant, who will be responsible for income tax and National Insurance due on it.

8. I calculate the sum due to the claimant from the respondent for accrued but untaken holiday as follows:

a. £249 x 11 £2,739

The respondent is ordered to pay the sum of £2,739 to the claimant, who will be responsible for income tax and National Insurance due on it.

Approved by:

**Regional Employment Judge
Foxwell**

14 January 2026

Judgment sent to the parties on:

11 February 2026

For the Tribunal:

Notes

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 claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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 at www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/