



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
MR C BRAZIER

AND

Respondent
ENTANGLED POSITIONS LTD

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

HELD AT: BRISTOL ON: 11TH JUNE 2026

**EMPLOYMENT JUDGE MR P CADNEY
(SITTING ALONE)**

MEMBERS:

APPEARANCES:-

FOR THE CLAIMANT:- IN PERSON

FOR THE RESPONDENT:- NO ATTENDANCE

JUDGMENT

The judgment of the tribunal is that:-

1. The claimant's claim of unfair dismissal is well founded and is upheld
2. The claimant's claim of unlawful deduction from wages is well founded and is upheld.

The claimant is awarded the following sums:

3. Unfair Dismissal -Basic Award – £1372.80;
4. Unlawful Deduction from wages - £41,536 (gross)

Reasons

1. Before dealing with the merits of the claims, as the respondent has not attended, I will set out the relevant parts of the chronology and the history of the respondent's involvement in the process.

Chronology

2. 2nd July 2025 – The claimant submitted his ET1/Claim form bringing claims of unfair dismissal and unlawful deduction from wages.
3. 11th December 2025 – Following correspondence with the claimant, the claim was served on the respondent via a Notice of Claim which advised that if it wished to defend the claim a response must be entered by 8th January 2026.
4. 8th January 2026 – The respondent did not enter a response to the claim, but Mr Barnes emailed the tribunal on behalf of the respondent stating that:-
 - a) It had received the claim form and assumed that the date of 8th January 2026 for the submission of the response was incorrect as the respondent believed that the 28 days should in fact be 28 working days (it is not clear from the email on what that assumption is based and it is not in fact correct);
 - b) That he was waiting for a time to discuss the case with the claimant;
 - c) That he was seeking more information from the claimant in order to resolve the case informally.
5. 11th March 2026 – A "Response not Received" letter was sent to the respondent; and a Notice of Hearing for today's hearing to determine liability and remedy was sent to both parties.
6. 31st March 2026 – The respondent emailed the tribunal stating that the assertion contained in the RNR letter that it had not entered a response was "patently false"; and requesting that the process was halted. The basis for the assertion that it had responded is not clear as the respondent had not by this stage entered a response, and has never contended that it had, unless the respondent is asserting that it had responded in the sense that it had emailed and contacted the tribunal; and regarded the sending of an email on the day the response was due as a sufficient response to the claim within the ET Rules (if the latter is what was intended the respondent is incorrect).
7. 21st April 2026 – The respondent was emailed sending EJ Livesey's directions which included, " Critically the respondent has not provided a Response to the claim. Unless or until it does with an application for an extension of time explaining why the

- original claim was not responded to in time, the matter will proceed as an undefended claim.”
8. 22nd April 2026 – The respondent submitted a response to the claim, but did not submit an application for an extension of time, or any explanation of why the response had not been submitted within the original time limit as directed by EJ Livesey, and as required by the ET Rules of Procedure 2024. The response itself did not dispute the claimant’s information as to his dates of employment or pay details (Boxes 4/5), and simply stated that the claim was defended on the basis that “Several of the items of the claim are incorrect” but it does not identify which or what is in dispute.
 9. 2nd June 2026 – The ET3 was rejected by EJ Midgely who advised the respondent that “.. it must, as EJ Livesey stated, make a written application for the response to be accepted out of time. It would be prudent for that application to be supported by a witness statement signed with a statement of truth setting out the relevant events”. It is clear the respondent received that email as it replied just over an hour later, but no formal application to extend time as advised by both EJs has been received prior to this hearing.
 10. 10th June 2026 – The respondent notified the tribunal following the receipt of the joining details for today’s hearing that it would be seeking to appeal (presumably either EJ Midgley’s decision to reject the response and/or any judgment from this hearing).
 11. 11th June 2026 – Although clearly aware of the hearing the respondent did not attend.

Claims

12. As set out above the claimant has brought two claims:

- i) Unfair Dismissal
- ii) Unlawful Deduction from wages.

Unfair Dismissal

13. The claimant’s case is that he was employed from 14th March 2022 to 20th June 2025; and as set out above those dates were not disputed in the draft ET3 which was rejected. The claimant’s case is that he was not paid from October 2023, save for the payment in August 2024 of the salary owed for October 2023. He was therefore not paid from November 2023 and he finally resigned in June 2025 in response to the persistent failure to pay his salary. This, if correct would necessarily be an express breach of contract which would entitle the claimant to resign and bring the claim of constructive unfair dismissal.
14. The respondent has not attended to challenge the claimant, and has not explicitly disputed any of those assertions in its draft response. It follows that I have no reason or evidential basis not to accept the claimant’s account, which I do. It equally follows

that in my judgement the claim for constructive unfair dismissal is well founded and is upheld.

15. Remedy – The claimant indicated that he was only seeking the payment of the sums owed in unpaid wages; but he is automatically entitled to a basic award for unfair dismissal in the sum of £1372.80 (3 x 1 x £457.60)

Unlawful Deduction From Wages

16. The claimant claims the following sum -£41,536 gross (calculated as set out below) :

- i) £457.60 per week (£11.44 x 8 hours per day = £91.52 x 5); which
- ii) Equates to £1830.40 per month; which
- iii) Equates to £41,536 gross – (22 months x £1830.40)

17. Again, the respondent has not attended to challenge the claimant as to those figures, has not disputed the pay details in the draft ET3, and has not expressly disputed any of the facts relating to this claim. Once again I have no reason or evidential basis not to accept the claimant's account which I do.

18. Judgment is therefore entered for the claimant as set out above.

Approved by
Employment Judge Cadney
Date: 11 June 2026

Sent to the parties on
26 June 2026

Jade Lobb
For the Tribunal Office