EMPLOYMENT TRIBUNALS

Claimant: Miss D Plant

Respondent: Inglewood Residential Home Limited

Heard at: Midlands West Employment Tribunal (in person)

On: 20 October 2026 at 10am

Before: Employment Judge Platt

Representation
Claimant: in person; Mr Ewers (in attendance)
Respondent: did not attend

JUDGMENT

The complaint in respect of holiday pay is well-founded. The respondent made unauthorised deductions 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.

The respondent unreasonably failed to comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures 2015 and it is just and equitable to increase the compensatory award payable to the claimant by 25% in accordance with section 207A Trade Union & Labour Relations (Consolidation) Act 1992.

The respondent shall pay the claimant **£663.41 (**£530.73[1] plus 25% ACAS uplift). The claimant is responsible for paying any tax or National Insurance.

This sum has been calculated as follows: £246.75 x 71.4% = £175.19 in respect of holiday year 1 April 2023 – 31 March 2024; £380.73 x 71.4% = £271.84 in respect of holiday year 1 April 2024 – 31 March 2025; and £117.22 x 71.4% =

[1] Based on the claimant working 36 hours per week (giving a rate of holiday accrual of 3.87 hours per week) and overtime being included for the purposes of calculating a week's pay in respect of holiday accrued pursuant to regulation 13 of the Working Time Regulations 1998. Based on 37 weeks during holiday year 1 April 2023 – 31 March 2024 at £10.42 per hour; 52 weeks during holiday year 1 April 2024 – 31 March 2025 at £11.44 per hour, 15 weeks during holiday year 1 April 2025 – 31 March 2026 at £12.21.

£83.70 in respect of holiday year 1 April 2025 – 31 March 2026 plus 25% uplift of £132.68.

When the proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There are no exceptional circumstances that make an award of an amount equal to two weeks' gross pay unjust or inequitable. It is just and equitable to make an award of an amount equal to four weeks' gross pay. In accordance with section 38 Employment Act 2002 the respondent shall therefore pay the claimant **£1,758.24**.

Approved by

Employment Judge Platt

20 October 2026

Note:

Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party asked for them at the hearing or a party makes a written request within **14 days** of the sending of this written record of the decision.

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Judgments (apart from judgments under rule 51) 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.