



EMPLOYMENT TRIBUNALS

Claimant: Mrs P Broom

Respondent: Evanscare Ltd

Heard at: London South **On:** 25, 26 & 27 October 2021

Before: Employment Judge Khalil (sitting alone)

Appearances

For the claimant: in person, assisted by her husband Mr Broom

For the respondent: No attendance

JUDGMENT

- (1) The claim for constructive unfair dismissal under S.94/95/98 Employment Rights Act 1996 is well founded and succeeds.
- (2) The claimant is awarded **£2897.37** by way of a basic award under S.122 Employment Rights Act 1996.
- (3) The claimant is awarded **£2833.46** by way of a compensatory award under S.123 Employment Rights Act 1996 made up of £2483.46 for loss of earnings and £350 for loss of statutory protection.
- (4) The claim for unauthorised deductions (6 November 2018) under S.13 Employment Rights Act 1996 is well founded and succeeds. The claimant is awarded **£91.98**.
- (5) The claim for unauthorised deductions (holiday pay) under S.13 Employment Rights Act 1996/breach of Regulation 14 of the Working Time Regulations 1998 is well founded and succeeds. The claimant is awarded **£459.90**.
- (6) The Tribunal also awards an additional 2 weeks' pay as the claimant did not, based on the evidence before the Tribunal, at the time the claim was issued, have an up-to-date statement of employment particulars under S.38 Employment Act 2002. That amounts to **£551.88**.

Reasons were given at the time and written reasons will not be provided unless they are asked for by a written request presented by any party within 14 days of the sending of this written record of the decision.

Public access to Employment Tribunal decisions

All judgments 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.

Employment Judge Khalil

27 October 2021