



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr G Hughes  
**Respondent:** POP Services (UK) Ltd

**Heard at:** East London Hearing Centre (by CVP)  
**On:** 9 September 2022  
**Before:** Tribunal Judge Overton acting as an Employment Judge

## Representation

**Claimant:** in person  
**Respondent:** Jon Burns, Senior Manager

## JUDGMENT

1. The Claimant's claim for unauthorised deductions from wages contrary to section 13 of the Employment Rights Act 1996 is well founded. The Respondent failed to pay his full wages that were properly payable to him.
2. The Claimant's wrongful dismissal claim is well founded. The Respondent terminated the Claimant's employment without notice in circumstances where it was not entitled to do so.
3. The Claimant earned £50,000 gross annual salary. This is equal to £961.55 gross per week.
4. In respect of the unauthorised deductions from wages, the Claimant is owed 2 days' pay. This is equal to **£384.61** gross.
5. In respect of the wrongful dismissal claim, the Claimant is owed one week's pay, **£961.54** gross.

6. These payments are to be made to the Claimant net of relevant deductions.
7. Total Respondent to pay the Claimant: **the net of £1,346.15**
8. Although this was omitted from the oral judgment given at the end of the hearing, I have had mind to the ACAS Code of Practice on Disciplinary and Grievance Procedures and whether it is appropriate to adjust the Claimant's award for a failure to comply with the Code. It was common ground between the parties as to the events of 5<sup>th</sup> January 2022 when the Claimant was dismissed. It is clear that the ACAS Code of Practice was not followed and therefore it is appropriate for an uplift to be applied to the award. Although there was a total failure on the part of the Respondent to follow the Code in respect of its dismissal of the Claimant, I was mindful that it is a small company and as such I have decided that it is just and equitable that the Respondent must apply an **uplift of 10%** to the net amount owing to the Claimant in respect of wrongful dismissal and unauthorised deductions from wages.
9. Because the Respondent failed to provide the Claimant with a statement of initial employment particulars, the Respondent is ordered to pay the Claimant an additional sum of **£1,088**. That is 2 weeks' pay capped in line with section 227 Employment Rights Act 1996.

**Tribunal Judge Overton acting as an Employment Judge**  
**Dated: 13 September 2022**