



# EMPLOYMENT TRIBUNALS

**Claimant**

Ms J Hassall

**v**

**First Respondent**

The White Lion Public House

**Second Respondent**

FOD Bromwich Group Limited

**Third Respondent**

Mr Tony Bromwich

**Fourth Respondent**

Mr Tom Bromwich

**Heard at:** Nottingham  
**On:** 30 October 2024  
**Before:** Employment Judge L Brown

**Appearances**

**For the Claimant:** In person.  
**For the First Respondent:** Did not attend.  
**For the Second Respondent:** Did not attend.  
**For the Third Respondent:** Did not attend.  
**For the Fourth Respondent:** Did not attend.

# JUDGMENT

The Judgment of the Tribunal is as follows:

## Wages

1. The complaint of unauthorised deductions from wages is well-founded. The Third and Fourth Respondents made an unauthorised deduction from the Claimant's wages in the period 18 December 2022 to the 1 February 2023.
2. The Third and Fourth Respondents shall pay the Claimant **£791.38**, which is the net sum due to her.

## Notice Pay

3. The complaint of breach of contract in relation to notice pay is well-founded.
4. The Third and Fourth Respondents shall pay the Claimant **£2667.60** as damages for breach of contract. This figure has been calculated using net pay.

## Holiday Pay

5. The complaint in respect of holiday pay is well-founded. The Third and Fourth Respondents 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.
6. The Third and Fourth Respondents shall pay the Claimant the net sum of **£535.02**.

## Unfair Dismissal

7. The complaint of unfair dismissal is well-founded. The Claimant was unfairly dismissed by the Third and Fourth Respondent.
8. There is a nil chance that the Claimant would have been fairly dismissed in any event.
9. The Third and Fourth 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 s 207A Trade Union & Labour Relations (Consolidation) Act 1992.
10. The Third and Fourth Respondent shall pay the Claimant the following sums:

- 11. A basic award of **£7410.00**.
- 12. A compensatory award of **£9,941.33**.

**Note** that these are actual the sums payable to the Claimant after any deductions or uplifts have been applied.

- 13. The total monetary award (i.e. the compensatory award plus basic award) payable to the Claimant for unfair dismissal is **£17,351.33**

**Non-compliance with ACAS Code**

- 14. The Third and Fourth 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%** this being a sum of **£2,485.33** in accordance with s 207A Trade Union & Labour Relations (Consolidation) Act 1992.

**Failure to provide a written statement of employment particulars**

- 15. When the proceedings were begun the Third and Fourth Respondent were in breach of their 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 four 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 **£1,140.00**.

\_\_\_\_\_  
Employment Judge Brown

Date: 30 October 2024

Sent to the parties on:

.....11 November 2024.....

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For the Tribunal Office

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.