



EMPLOYMENT TRIBUNALS

Claimant: Mr Harry Whitehouse

Respondent: Sprint Active Education Ltd (formerly known as Premier Active Coaching Ltd)

Heard at: Birmingham (via CVP) **On:** 16 September 2024

Before: Employment Judge Boyle

Representation

Claimant: in person

Respondent: did not attend and were not represented

JUDGMENT

1. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period from 6 September 2022 to 14 December 2022.
2. The respondent shall pay the claimant £1,843.54 which is the gross sum deducted. The claimant is responsible for the payment of tax and National Insurance.
3. The complaint of breach of contract in relation to notice pay is well-founded.
4. The respondent shall pay the claimant £277.50 as damages for breach of contract. The figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay.
5. The complaint in respect of holiday pay is well-founded. The respondent made an unauthorised deduction from the claimant's wages by failing to pay the claimant for holiday accrued but not take on the date the claimant's employment on 24 January 2023.
6. The respondent shall pay the claimant £601.50 The claimant is responsible for the payment of tax and National Insurance.
7. When proceedings were begun the respondent was in breach of its duty to provide the claimant with a written statement of employment particulars. There were no exceptional circumstances that make an award of an amount equal to two weeks gross pay unjust or inequitable. In accordance with s 38 Employment Act 2002 the respondent shall therefore pay the claimant £555.

Signed by: Employment Judge Boyle

Signed on: 16 September 2024

Notes

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.

Public access to employment tribunal decisions

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>