



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms Kerri Anne Graham

**Respondent:** Evolve Academy

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. This rule 21 Judgment on both liability and remedy is made by consent. The claim was issued in the Employment Tribunals on 15 July 2021. The respondent has failed to present a valid response on time. Mr Harkness appeared for the respondent today and confirmed that he had not submitted a Response Form, though he thought he had by sending it to ACAS in September 2021, but that in any event the respondent does not contest the claim and agrees the amount claimed and does not wish to be heard on remedy. Both parties asked that the Tribunal determine the matter today.
2. The Employment Judge decided that a determination can properly be made of the claim in accordance with rule 21 of the Rules of Procedure. Today's hearing which was listed as a preliminary hearing for case management was converted by consent to a public hearing under Rule 48 Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013.
3. The respondent has failed to provide itemised pay statements and failed to make contributions to the claimant's pension having made deductions from the claimant's wages on the understanding that those contributions would be paid. The claim was quantified as follows: missing deductions March 2019 at £ 18.34, then 15 months at £ 74.00 per month, then July 2020 at £ 23.97.
4. **The claimant's claim succeeds. The respondent is ordered to pay the claimant £ 1,152.31.**

Employment Judge Aspinall  
Date: 4 February 2022

JUDGMENT SENT TO THE PARTIES ON  
7 February 2022  
AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2408471/2021**

Name of case: **Miss K Graham** v **Evolve Academy**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 7 February 2022

"the calculation day" is: 8 February 2022

"the stipulated rate of interest" is: **8%**

Mr S Artingstall  
For the Employment Tribunal Office

## INTEREST ON TRIBUNAL AWARDS

### **GUIDANCE NOTE**

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at [www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426](http://www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426)

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".
3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.