



EMPLOYMENT TRIBUNALS

Claimant: Mr R Busby
Respondent: British Council
Heard at: East London Hearing Centre (in public; by CVP)
On: 25 and 26 September 2024
Before: Employment Judge Gordon Walker (sitting alone)

Appearances

For the claimant: represented himself

For the respondent: Mr J Neaman, counsel

JUDGMENT

1. The respondent made unauthorised deductions from the claimant's wages contrary to section 13 Employment Rights Act 1996, by failing to include overtime pay in its payment to the claimant of regulation 13 Working Time Regulations 1998 holiday pay.
2. All other claims are dismissed:
 - a. The respondent did not make unauthorised deductions from the claimant's wages contrary to section 13 Employment Rights Act 1996 by failing to include bonus pay in its payment to the claimant of regulation 13 Working Time Regulations 1998 holiday pay.
 - b. The respondent did not make unauthorised deductions from the claimant's wages contrary to section 13 Employment Rights Act 1996 by failing to include overtime and/or bonus pay in its payment to the claimant of regulation 13A Working Time Regulations 1998 holiday pay.
 - c. The respondent did not make unauthorised deductions from the claimant's wages contrary to section 13 Employment Rights Act 1996 by failing to include overtime and/or bonus pay in its payment to the claimant of contractual holiday pay.

3. The respondent is not ordered to pay to the claimant any amount pursuant to section 24 Employment Rights Act 1996, because it appears to the Tribunal that the respondent has already paid or repaid any such amount to the claimant (section 25(3) Employment Rights Act 1996).
4. The respondent has unreasonably failed to comply with the ACAS Code of Practice on Grievance Procedures in relation to this matter, contrary to section 207A Trade Union and Labour Relations (Consolidation) Act 1992. As the Tribunal has made no award to the claimant, no additional sums are payable to the claimant by the respondent to reflect any percentage increase to the award pursuant to section 207A Trade Union and Labour Relations (Consolidation) Act 1992.

Employment Judge Gordon Walker
Dated: 26 September 2024