



Nicky Ackerley BA(Hons)

Nicky is the owner of HR Support Consultancy. She has a BA(Hons) in Business Studies, is a member of the Chartered Institute of Personnel and Development and has been a practising HR manager for more than 20 years. HR Support Consultancy has provided the BVNA Members Advisory Service (formerly known as the Industrial Relations Service) since it began in 2002.

Table 1. Your wages

Your wages could include
<ul style="list-style-type: none"> • Any fees, bonuses, commission, holiday pay or other payments connected with your job • Statutory payments (such as Statutory Sick Pay or Statutory Maternity Pay) • Gift tokens or other vouchers of fixed value that can be exchanged for money, goods or services
Your wages will not include
<ul style="list-style-type: none"> • Loans or advances of wages • Payments of expenses incurred in employment • Pension and redundancy payments • Lump sums on retirement • Payments in kind (other than vouchers/tokens that can be exchanged or have a fixed value)

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Deductions from wages

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Employees are protected from employers making unauthorised deductions from their pay and wages. Employers can only make a deduction in specific situations and they must follow your employment contract terms.

Pay and wages

Your wages are slightly different from your pay. Wages are the amount you are paid by your employer in connection to your job. Pay is the basic amount you should be paid (e.g. your monthly or hourly pay rate). **Table 1** shows how your wages could be made up.

Rules for making deductions from wages

You are protected against your employer making deductions from either your pay or your wages.

If your employer makes a deduction from something that does not count as your pay or wage (e.g. from a redundancy payment), you are not protected. However, you may be able to make a claim for breach of contract if you are entitled to the payment under your employment contract.

Before making any deductions, your employer must tell you in writing the full amount you owe and make a written demand for the payment.

Your employer is not allowed to make a deduction from your pay or wages unless:

- it is required or allowed by law (e.g. National Insurance, income tax, student loan repayments)
- you agree in writing to a deduction
- your contract of employment says they can
- it is a result of any statutory disciplinary proceedings

- there is a statutory payment due to a public authority
- it is to recover an earlier overpayment of wages or expenses
- it is a result of a court order or Employment Tribunal decision.

A deduction must not reduce your pay below the National Minimum Wage rate (except a limited amount for accommodation). This applies even if you have given your permission for it. If you were overpaid in error, instead of making a deduction, your employer may try to recover the overpayment by making an application for a court order. For more information about how and when you might be able to prevent your employer from taking back an overpayment, you should speak to the Members Advisory Service.

If you haven't been paid in full

If you didn't receive your full pay, you should check your payslip and contract of employment to see if they explain why. If there does not seem to be a reason why your employer has not followed the rules for making deductions from your pay, speak to your employer. See if you can sort out the problem informally; if this does not work, contact the Members Advisory Service who will help you write to your employer. If this is not successful, you have the right to go to an Employment Tribunal to get your money. By making a breach of contract claim, you can also try to reclaim any money you have lost (e.g. bank charges) through not receiving the money on time. [wji](#)

For further support with this or any other HR issue, BVNA members can call the BVNA Members Advisory Service Helpline on 01822 870270.