



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4102950/2019 & others as per attached schedule

Mr A McCredie & others as per attached schedule

Claimants

Seabank Care Limited (in Liquidation)

Respondents

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

No response has been presented to these claims. Derek Forsyth was appointed as liquidator of the respondent on or around 3 January 2019. Consent of the court was obtained on 9 October 2019.

The Employment Judge has decided to issue the following judgment on the available material under rule 21:

- 1 The respondent was obliged to inform and consult with the claimants in accordance with the provisions of s188 and s188A of the TULRA and failed to do so.
- 2 The complaint that the respondent failed to comply with the requirement under Section 188 and Section 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 is well founded.
- 3 On or around 5 December 2018, the claimants were notified that their employment was coming to an end by reason of redundancy. No consultation or notice was given to the employees before their employment was terminated. The claimants were dismissed on 5 December 2019.
- 4 The respondent dismissed more than 20 employees by reason of redundancy within a 90 day period. All the employees were based at the same establishment.

5 There should be a protective award made in respect of such of the former employees of the respondent working at the respondent's establishment at Woodside Care Home, Lawview Road, Quarriers Village, Bridge of Weir, dismissed as redundant on 5 December 2018.

Employment Judge:	Claire McManus
Date of Judgement:	14 November 2019
Entered in register:	15 November 2019
And copied to parties	