



EMPLOYMENT TRIBUNALS

Claimants: Miss R Simpson and six others

Respondent: Herbert T Forrest Limited (in Administration)

JUDGMENT

Employment Tribunal Rules of Procedure Rule 21

In the absence of any response to the claims from the respondent, but the administrator having consented on 28 January 2020 to these claims proceeding, and the Tribunal having heard evidence in other cases on 21 January 2020 about the circumstances of the respondent's administration in December 2018, the judgment of the Tribunal is as follows:

1. In relation to each claimant to whom this paragraph applies, the claim for a protective award is well founded. It is declared that the respondent failed to consult the claimants as required by section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992. The respondent is ordered to pay to each claimant remuneration for the protected period of 90 days beginning on 7 December 2018. The recoupment regulations apply.

2. Paragraph 1 of this judgment applies to the following claimants:

2401529/2019 Miss R Simpson
2401401/2019 Mr J Allen
2401404/2019 Mr A Bell
2401432/2019 Mr A Green
2401435/2019 Mr M Highfield
2401451/2019 Mr D Urwin
2401864/2019 Mr M Edwards

3. The complaints against the respondent in respect of notice pay and unauthorised deductions from pay brought by **Mr M Edwards** in case number **2401864/2019** are dismissed. It appears that his employment transferred to a new employer on 7 December 2018 under the Transfer of Undertakings (Protection of Employment) Regulations 2006 and any such complaints will lie against the new employer not this respondent.

Employment Judge Franey

30 January 2020

JUDGMENT SENT TO THE PARTIES ON

31 January 2020

FOR THE TRIBUNAL OFFICE

Note

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.

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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.