



EMPLOYMENT TRIBUNALS

Claimant: Mr A Singh & Others

Respondent: 1) Utility Professional Business Operations Limited (in Administration)
2) The Secretary of State for Business, Energy and Industrial Strategy

JUDGMENT BY CONSENT

In this Judgment “the claimants” means those listed in the Schedule to it.

1 By consent the complaint that the first respondent, Utility Professional Business Operations Limited (in Administration), failed to comply with the requirements of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well founded.

2 By consent a protective award is made in respect of all the claimants and the first respondent is ordered to pay to each of the claimants remuneration for the protected period of 90 days beginning on 4 December 2018.

3 All other claims against the first respondent brought by the claimants are dismissed on withdrawal by the claimants.

4 Aside from the claim pursued by Ms S Williams all claims brought by the claimants against the second respondent (the Secretary of State for Business, Energy and Industrial Strategy) are dismissed on withdrawal by the claimants.

5 No order is made as to costs.

Employment Judge Harding

10 July 2020

NOTE: the following statement is given under Regulation 5 (2) (b) of the Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 ("the Regulations") and advises the respondent of its duties under regulation 6, and of the effect of Regulations 7 and 8, of the Regulations.

(1) The respondent is required to give to the Benefits Agency in writing:

(a) the name, address and National Insurance number of every employee to whom the above protective award relates; and

(b) the date of termination (or proposed termination) of the employment of each such employee.

(2) The respondent is required to comply with paragraph (1) above within the period of 10 days commencing on the date on which the judgment was announced at the hearing, or, if it was not so announced, the date on which the judgment was sent to the parties.

(3) No remuneration due to an employee under the protective award shall be paid to him until the Benefits Agency has (a) served on the respondent a notice ("a recoupment notice") to pay the whole or part of the award to the Benefits Agency or (b) informed the respondent in writing that no recoupment notice is to be served.

(4) The sum due to the Benefits Agency under a recoupment notice shall be the lesser of:

(i) the amount (less any tax or social security contributions which fall to be deducted by the respondent) accrued due to the employee in respect of so much of the protected period as falls before the date on which the Benefits Agency receives from the respondent the information mentioned at paragraph (1) above; and

(ii) the amount paid by way of, or as on account of, jobseeker's allowance or income support to the employee for any period which coincides with any part of the protected period falling before the date mentioned at (i) above.

(5) The sum due under the recoupment notice shall be paid forthwith to the Benefits Agency. The balance of the protective award shall then (subject to deduction of any tax or social security contributions) be paid to the employee.

(6) The Benefits Agency shall serve a recoupment notice within the period of 21 days after the date mentioned at paragraph 4 (ii) above, or as soon as practicable thereafter.

(7) Payment by the respondent to the employee of the balance of the protective award (subject to deduction of any tax or social security contributions) is a complete discharge of respondent in respect of any sum so paid.

(8) The sum claimed in a recoupment notice is due as a debt by the respondent to the Benefits Agency, whatever may have been paid to the employee and whether or not there is any dispute between the employee and the Benefits Agency as to the amount specified in the recoupment notice.

Schedule of Claimants 1300681/2019 & Others

1300681/2019	Mr Avtar Singh	1300747/2019	Mr Nicholas Lailey
1300682/2019	Mr Faisal Ali	1300748/2019	Mr Neil Lall
1300683/2019	Mr Musoade Ali	1300749/2019	Ms Traci Letman
1300684/2019	Miss Sabrina Ali	1300750/2019	Mr Mark Ludford
1300685/2019	Ms Sanna Ali	1300751/2019	Miss Jennifer MacDonald
1300686/2019	Mrs Annum Aslam	1300753/2019	Mr Wasim Mahmood
1300687/2019	Mr Dawood Atcha	1300754/2019	Mr Pooria Majlessi
1300688/2019	Mr Saranjit Bains	1300755/2019	Miss Bokani Makhubalo
1300689/2019	Miss Monique Beckford	1300756/2019	Mr Farai Maphosa
1300690/2019	Mr Jordan Beesley	1300757/2019	Miss Kiran Maroof
1300691/2019	Miss Farzana Begum	1300758/2019	Mr Ian Marston
1300692/2019	Mr Rakesh Bhatia	1300759/2019	Mr Lewis McKellar
1300693/2019	Mrs Maitrayee Bhowmick-Jewkes	1300760/2019	Mr Christopher McKenna
1300694/2019	Miss Connie Boothe	1300761/2019	Mr John Miller
1300695/2019	Miss Adele Buswell	1300762/2019	Mr Lee Moreton
1300696/2019	Mr Craig Byrne	1300763/2019	Miss Suzanne Morgan
1300697/2019	Mr Steven Calloway	1300764/2019	Mr Gary Morrison
1300698/2019	Miss Karrol Carty	1300765/2019	Mr Adnan Muhtar
1300699/2019	Miss Melissa Chahal	1300766/2019	Miss Aneesa Naz
1300700/2019	Ms Aniq Chowdhury	1300767/2019	Miss Saiqa Nazir
1300701/2019	Mr Alexie Colfox	1300768/2019	Mr Karl Newman
1300702/2019	Mr Mark Collins	1300769/2019	Mr John Nicholson-Alexander
1300703/2019	Mr Kevin Costello	1300771/2019	Ms Melissa Oates
1300704/2019	Mr Paul Cowley	1300772/2019	Mr Thomas O'Farrell
1300705/2019	Mr Alan Currie	1300773/2019	Mr Timothy Olsen
1300706/2019	Mr Phillip Dearn	1300774/2019	Mr Andrew Paish
1300707/2019	Mr Steven Deathridge	1300775/2019	Mr Robert Palmer
1300708/2019	Mr Jasbir Dhési	1300776/2019	Mr Matthew Partridge
1300709/2019	Mr Neil Dodds	1300777/2019	Miss Cherrelle Paul
1300710/2019	Miss Caroline Ellis	1300778/2019	Mr Satinder Paul
1300711/2019	Ms Harriet Emerson	1300779/2019	Mrs Joanna Payne
1300712/2019	Mrs Deborah Eubanks	1300780/2019	Mr Joseph Peyton
1300713/2019	Mr Thomas Finlay	1300781/2019	Ms Amy Phillips
1300714/2019	Mr Benjamin Fisher	1300782/2019	Miss Emma Phillips
1300715/2019	Miss Nina Flash	1300783/2019	Miss Daniella Pinto Goncalves
1300716/2019	Ms Katie Flower	1300784/2019	Mr Ben Porter
1300717/2019	Mr Steven Fojan	1300785/2019	Mr Jonathan Poste
1300718/2019	Mr Philip Gill	1300786/2019	Mr Richard Preston
1300719/2019	Mrs Gillian Gittins	1300787/2019	Mr Arundeeep Purewal
1300720/2019	Mr Julian Gould	1300788/2019	Mr Bilaal Rajput
1300721/2019	Miss Roweisha Graham	1300789/2019	Miss Seema Rathod
1300722/2019	Ms Kelly Handley	1300790/2019	Mr Ikram Razaq
1300723/2019	Mr Adam Hardy	1300791/2019	Mr Joshua Robinson
1300724/2019	Ms Vivian Harris	1300792/2019	Miss Sarah Rock
1300725/2019	Ms Louise Higgins	1300794/2019	Mr Joshua Sinclair
1300726/2019	Mr Thomas Higgins	1300795/2019	Mrs Sandeep Singh
1300727/2019	Mr Andrew Homer	1300796/2019	Mr Janson Sissons
1300728/2019	Mr Dean Howell	1300797/2019	Mr Daniel Smith
1300729/2019	Mrs Aiyshah Hussain	1300798/2019	Ms Hayley Smith
1300730/2019	Mr Aqib Hussain	1300799/2019	Miss Jessica Smith
1300731/2019	Mr Mohammed Hussian	1300800/2019	Mrs Katie Stevenson
1300732/2019	Miss Taiba Idrees	1300801/2019	Miss Hana Sultan
1300733/2019	Mr Asim Iqbal	1300802/2019	Mr Joseph Szwaba
1300734/2019	Mr Parminder Jaghra	1300803/2019	Mr Nicholas Taylor

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1300735/2019 Miss Tasmeeah Javed
1300736/2019 Mrs Natalie Jenns
1300737/2019 Ms Amber Jenns
1300738/2019 Miss Laura Jones
1300739/2019 Miss Raveena Kaur
1300740/2019 Mrs Deborah Kelly
1300741/2019 Mr Stephen Khakh
1300742/2019 Mr Adil Khan
1300743/2019 Mr Aurangzeb Khan
1300744/2019 Miss Maryam Khemiri
1300745/2019 Mr Jon Kordas
1300746/2019 Miss Caroline Kulemeka

1300804/2019 Mr Michael Trenfield
1300805/2019 Mr Thomas Vaziritabar
1300806/2019 Miss Poli Vodenicharova
1300807/2019 Mr Leython Wedderburn
1300808/2019 Miss Jessica Whitehouse-Lowe
1300809/2019 Mr Mark Whittall
1300810/2019 Mr Andrew Wilde
1300811/2019 Mrs Rowena Wilding
1300812/2019 Mrs Sarah Williams
1300813/2019 Miss Kellie Wilson
1300814/2019 Mr Christopher Wing
1300954/2019 Mr David Rollason