



# EMPLOYMENT TRIBUNALS

**Claimant:** Andrew Smith

**Respondent:** Lakemere Global Holdings Ltd t/a AGO Outsourcing (In Creditors Voluntary Liquidation)

## JUDGMENT

The judgment of the Tribunal is that:

1. The claim of under section 189 Trade Union and Labour Relations (Consolidation) Act 1992 is well founded and succeeds.
2. The Tribunal makes a protective award in respect of the Claimant.
3. The Respondent is ordered to pay remuneration to the Claimant for the protected period. The protected period begins on 13 September 2019 and is for a period of 90 days.
4. The claim of breach of contract (failure to give notice of 1 week) is well founded and succeeds. The Respondent is ordered to pay the Claimant damages in the sum of **£550**.

## REASONS

5. These proceedings were served on the Respondent. No response was returned. Therefore, in accordance with rule 21 of the Tribunal Rules of Procedure an Employment Judge must decide whether on the available material a determination can properly be made of the claim or part of it, and to the extent that a determination can be made, the Employment Judge must issue a judgment.
6. The Claimant was employed at the Respondent's premises in Newcastle an establishment at which was employed in excess of 20 employees and at which in excess of 20 employees were dismissed as redundant on or about the day on which the Claimant's employment was terminated for that reason, namely 13 September 2019.

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7. The Claimant received no prior notice of the business ceasing to operate and no consultation took place regarding possible redundancies. There was no appropriate representative at the workplace.
8. I am satisfied that there was a wholesale failure to inform and consult on the redundancies and that it is appropriate to make a protective award of the maximum period of 90 days.
9. At the time of his dismissal the Claimant was entitled to 1 weeks' notice of employment equating to £550.

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Employment Judge Sweeney

12 June 2020