



# EMPLOYMENT TRIBUNALS

**Claimant:** Carol Bell

**Respondent:** P.F. Burridge & Sons Limited (in administration)

## JUDGMENT

**Employment Tribunals Rules of Procedure 2013 – Rule 21**

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 17 March 2020 and is for a period of 90 days.

## REASONS

1. The Claimant was employed as an Administrative Assistant at the Respondent's premises on Benton Square Industrial Estate, Newcastle NE12 9TA.
2. On 17 March 2020, she and all other employees on the site, which numbered 103, were told that their employment was being terminated with immediate effect by reason of redundancy, due to the closure of the business. There had been no prior warning. There were no appropriate representatives at the Claimant's place of work.
1. The Claimant presented a Claim Form on 17 June 2020. As the Respondent was in administration the Claimant sought the consent of the Administrator for permission to proceed with her claim for a protective award. Consent was given on 05 October 2020. The Claimant's claim is not contested, no response having been served. Under rule 21 of the Tribunal Rules of Procedure 2013, where on the expiry of the time limit in rule 16 no response has been presented and no application for a reconsideration is outstanding, an employment Judge shall decide whether on the available material, a

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determination can properly be made of the claim or part of it. If there is, the judge shall issue a judgment, otherwise a hearing must be fixed before a judge alone.

3. I am satisfied that I have sufficient information in order to determine the complaint without a hearing. I am satisfied that the Respondent took no steps to inform or consult the Claimant or others in accordance with its duty under section 188 Trade Union and Labour Relations (Consolidation) Act 1992. I find that there was a total failure to comply with its duty and that an award of 90 days is appropriate.

Employment Judge Sweeney

18 January 2021