



EMPLOYMENT TRIBUNALS

Claimant: Ms E Cortes Harker

Respondents:

**R1 AL Realisations Limited (In administration)
R2 The Secretary of State for Business Energy
and Industrial Strategy**

JUDGMENT BY CONSENT

The terms of the Judgment by Consent are as follows:

1. The Claimant was employed by the First Respondent.
2. Robert Nicholas Lewis and Zelf Hussain were appointed as joint administrators of the First Respondent on 23 March 2020 and Rachael Maria Wilkinson was appointed as a joint administrator of the First Respondent on 17 April 2020. On 3 July 2020, Anthony John Wright and Paul Allen of FRP Advisory were appointed as additional administrators of the First Respondent.
3. On 31 March 2020, the Claimant was dismissed by the First Respondent by reason of redundancy.
4. The Claimant has raised a complaint pursuant to section 189 of The Trade Union and Labour Relations (Consolidation) Act 1992 ("**the Act**") and is seeking a protective award in respect of failure to consult in accordance with s.188 and s.188A of the Act.
5. The Claimant was assigned to an establishment where 20 or more redundancies were proposed by her employer within a period of 90 days. The Respondent did not fully inform and consult with the Claimant in accordance with the provisions of s.188 and s.188A of the Act.
6. The Tribunal makes a protective award in favour of the Claimant for a protected period of 56 days, capped at the amount payable by the Redundancy Payments

Service (“**RPS**”) in accordance with the RPS’s own regulations and limits and subject to any deductions required by law.

7. The parties agree that the protected period in relation to the Claimant begins on 31 March 2020 and lasts for 56 days.
8. There is no order requiring any party to pay or reimburse another party’s costs or fees. Each party shall bear their own costs and fees.
9. For the avoidance of doubt, it is agreed that the Claimant’s claim is extinguished in its entirety by this Consent Judgment.
10. The Recoupment Regulations apply to this Judgment. For the avoidance of doubt, any recoupment notice does not apply to the Secretary of State for Business, Energy and Industrial Strategy.

Employment Judge Deeley

Date: 4 October 2021

	Claim Numbers	Name	Name	Termination Date
1.	2203829/2020	Estefania	Cortes Harker	31 March 2020