



EMPLOYMENT TRIBUNALS

Claimants:

- (1) Mr S Tilley
- (2) Mr I Walker
- (3) Mr S Woodward
- (4) Mrs H Cosson
- (5) Mrs C McRae

Respondents:

- (2) Douglas Stafford Limited (in administration)
(currently stayed)
- (3) Audit Nationwide Limited
- (4) My View Limited
- (5) Secretary of State for Business Energy & Industrial
Strategy

Before Employment Judge Bax

On 1 to 4 March 2022

Representation:

Claimants: All claimants represented by Mr Tilley
Respondent (2) Did not attend
Respondent (3) Mr Cook
Respondent (4) Ms Cook
Respondent (5) Mr Soni (lay representative)

JUDGMENT

1. The First Claimant, Mr Tilley, was not an employee or worker of Audit Nationwide Limited in accordance with s. 230 of the Employment Rights Act 1996. The Tribunal therefore did not have jurisdiction to hear his claims against the Third Respondent and therefore the claims against Audit Nationwide Limited are dismissed.
2. The Fourth Claimant, Mrs Cosson was not an employee or worker of Douglas Stafford Limited in accordance with s. 230 of the Employment Rights Act 1996. The Tribunal therefore did not have jurisdiction to hear her claims for notice pay, unpaid wages and holiday pay and they are dismissed.
3. The First Claimant (Mr Tilley), Second Claimant (Mr Walker), Third Claimant (Mr Woodward) and Fourth Claimant (Mrs McRae) were not employees of Douglas

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Stafford within the meaning of s. 230 of the Employment Rights Act 1996, therefore:

- a. The Tribunal did not have jurisdiction to hear their claims of unfair dismissal, notice pay and for a redundancy payment and they are dismissed.
 - b. The Tribunal did not have jurisdiction to hear the claims against Fifth Respondent (the Secretary of State) and they are dismissed.
4. The First Claimant (Mr Tilley), Second Claimant (Mr Walker), Third Claimant (Mr Woodward) and Fourth Claimant (Mrs McRae) were workers of Douglas Stafford Limited within the meaning of s. 230 of the Employment Rights Act 1996 and therefore the Tribunal has jurisdiction to hear the claims of unlawful deductions from wages and holiday pay.
 5. The First Claimant (Mr Tilley), Second Claimant (Mr Walker), Third Claimant (Mr Woodward) and Fourth Claimant (Mrs McRae) were workers of Douglas Stafford Limited were employees within meaning of regulation 2 of the Transfer of Undertakings (Protection of Employment) Regulations 1996.
 6. The Second Respondent (Douglas Stafford Limited) is in compulsory liquidation. The permission of the Court has not been obtained for these proceedings to be instituted or continued as required by the Insolvency Act 1996 and the claim is dismissed.

Employment Judge J Bax
Date: 4 March 2022

Judgment sent to parties:

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.