



EMPLOYMENT TRIBUNALS

Claimant: Cheryl Davenport

Respondent 1: Carole Humphreys

Respondent 2: Anastasia Mousoulou-Humphreys

Respondent 3: Adler Manufacturing Services Ltd

Respondent 4: Tom Goodman t/a Goodman Cleaning Services

Respondent 5: Pamela Goodman t/a Goodman Cleaning Services

Heard at: Cardiff

On: 28th – 30th March 2022

Before: Employment Judge H. V. Dieu

Representation

Claimant: In person

Respondent 1 and 2: Mr Lamb (lay representative)

Respondent 3: Ms Webber (counsel)

Respondent 4: In person

Respondent 5: Tom Goodman (4th Respondent)

JUDGMENT

1. The Tribunal finds that a transfer under the Transfer of Undertakings (Protection of Employment) Regulations 2006 on the 1st May 2020 did not take place. Accordingly, the Claimant remained employed by the Second Respondent.
2. The claims against the remaining Respondents are dismissed.
3. The Claimant's claim for unfair dismissal is well founded and the Second Respondent should pay the claimant £2,617.07 in respect of redundancy pay and £1,731.56 in respect of compensatory award (calculated as £1,231.56 notice pay and £500 loss of statutory rights).
4. The Claimant's claim for accrued unpaid holiday pay is well founded. The Second Respondent should pay the Claimant the sum of £394.92.
5. The Claimant's claim for the failure to provide a written statement of particulars of employment is well founded. The Second Respondent should

pay the Claimant the sum of £205.26.

6. The Claimant's claim for failure to inform and consult under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (Reg. 13) is not well founded and is dismissed.
7. The Claimant's claim for unauthorised deductions from her wages is not well founded and is dismissed.
8. The Claimant's claim for wrongful dismissal is well founded but no compensation will be awarded due to the successful unfair dismissal claim.
9. The recoupment provisions apply to this judgment.

Employment Judge H. V. Dieu

Date 30th March 2022

JUDGMENT SENT TO THE PARTIES ON 31 March 2022

FOR THE TRIBUNAL OFFICE Mr N Roche

Notes

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.

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