



EMPLOYMENT TRIBUNALS

Claimant: Ms Sarah Royston & ors
(see schedule)

Respondent 1: Pollywiggie Day Nursery Limited
(in creditors' voluntary liquidation)

Respondent 2: Secretary of State for Business, Energy
and Industrial Strategy

Heard at: Leeds Employment Tribunal (CVP) **On:** 17 June 2022

Before: Employment Judge G Elliott (sitting alone)

Representation

Claimants: Ms Royston, Ms Ward, Ms Stones, Ms Hancock, Ms Hartle
and Ms Lloyd in person
Ms Plant and Ms Bunfield represented by Ms Lloyd

Respondent 1: Did not attend

Respondent 2: Written representations

JUDGMENT

1. The correct Respondent to all claims is Pollywiggie Day Nursery Limited (in creditors' voluntary liquidation).

2. The claimants' complaints of unauthorised deduction from wages fail and are dismissed.

3. Protective award

3.1 The claimants' complaints under section 189 of the Trade Union and Labour Relations (Consolidation) Act 1992 of a failure by Respondent 1 to comply with the requirements of section 188 of the 1992 Act are well-founded.

3.2 Respondent 1 is ordered, by way of protective award under section 189(3) of the 1992 Act, to pay to all of the claimants named in the employee schedule below remuneration for the period of 90 days beginning on 31 August 2021.

3.3 The Recoupment Regulations apply in respect of Ms Lloyd, Ms Stones and Ms Plant and for those purposes, the prescribed period is the 90 days beginning on 31 August 2021 and the prescribed element is such sum as is due to each claimant accordingly based on the statutory calculation (this is the total award so there is no balance). Please see enclosed information about recoupment.

Employee schedule:

Claimant	Case number
Ms S Royston	1805850/2021
Ms A Stones	1805848/2021
Ms L Plant	1805853/2021
Ms M Ward	1805852/2021
Ms S Lloyd	1805862/2021
Ms T Hancock	1805849/2021
Ms E Bunfield	1805847/2021
Ms J Hartle	1805854/2021

Employment Judge G Elliott

Date: 17 June 2022

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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