



EMPLOYMENT TRIBUNALS (SCOTLAND)

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**Case No: 4111771/2021 & Others
(All as per Attached Schedule)**

Employment Judge: M A Macleod

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**Mr L Bruce & Others
(All as per Attached Schedule)**

Claimants

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**The People's Energy Company Limited
(In Administration)**

Respondent

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JUDGMENT BY CONSENT

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The Judgment of the Employment Tribunal under Rule 64 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 is that:

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1. The claimants were employed by the respondent and their place of work was 2 Wester Shawfair, Danderhall, Dalkeith EH22 1FD.
2. The respondent is The People's Energy Company Ltd (In Administration), 1 West Regent Street, Glasgow G2 1RW. The respondent was an energy trader.
3. There were approximately 400 employees.
4. The claimants were dismissed by reason of redundancy within the same 90-day period. The first of the dismissals to which these complaints relate took effect on 28 September 2021.

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- 5 5. Although the respondent informed the claimants of the need for redundancies, appointed employee representatives and consulted with those employee representatives, they were unable to inform and consult with the claimants to the full extent required by the provisions of section 188 and section 188A of the Trade Union and Labour Relations (Consolidation) Act 1992 (“the Act”), due to the requirements of the supplier of last resort process.
6. The claimants have raised a complaint pursuant to section 189 of the Act seeking a protective award in respect of that failure.
- 10 7. The claimants’ claims are well founded, and succeed.
8. The protected period is 8 weeks, and each claimant is entitled to remuneration in respect of that period.
9. The Protective Award Payments shall not be an expense of the administration nor payable by the joint administrators of the respondent.
- 15 10. The claimants’ entitlement to the protective award payments shall rank and be distributed in due course to the claimants in the relevant proportion for creditors of the equivalent class, and in accordance with the Insolvency Act 1986 and The Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018.
- 20 11. No order as to expenses is made.

Employment Judge: Murdo Macleod
Date of Judgment: 10 October 2022
25 Entered in register: 13 October 2022
and copied to parties

Multiple Schedule

Multiple: 4100115 - The People's Energy LTD

Case Number	Case Name
4111771/2021	Mr Luke Bruce -v- The People's Energy Company LTD (In Administration)
4111772/2021	Mr alasdair brown -v- The People's Energy LTD
4111773/2021	Mr jonathan muir -v- The People's Energy LTD
4111774/2021	Mr ewald scheepers -v- The People's Energy LTD
4111775/2021	Mr jason gray -v- The People's Energy LTD
4111776/2021	Mrs karin scott -v- The People's Energy LTD
4111777/2021	Mr richard hanrahan -v- The People's Energy LTD
4111778/2021	Mr richard hansell -v- The People's Energy LTD
4111779/2021	Miss lauren lambert -v- The People's Energy LTD
4111780/2021	Mrs veronika rosicova -v- The People's Energy LTD
4111781/2021	Mr diego diniz da silva -v- The People's Energy LTD