



# **EMPLOYMENT TRIBUNALS**

**Claimants:**

Mrs C Stout and others  
(see schedule)

**Respondent:**

Queensmead School Limited  
(in company voluntary  
arrangement)

**v**

## **JUDGMENT BY CONSENT**

The parties having agreed the terms of judgment, this judgment is made by consent under rule 64 of the Employment Tribunal Rules of Procedure 2013.

The terms of this judgment by consent are as follows:

1. The claimants in the attached Schedule to this Judgment (the “Claimants”) were all employed by the Respondent.
2. Simon Underwood and Laurence Pagden (the “Joint Administrators”) were appointed as joint administrators of the Respondent on 8 April 2019. On 23 March 2021 the Respondent entered into a company voluntary arrangement (“CVA”) and on that date the administration ended and the Joint Administrators were appointed as Joint Supervisors of the CVA.
3. On 31 January 2019 the Claimants were dismissed by the Respondent by reason of redundancy (the “Termination Date”).
4. The Claimants have raised a complaint pursuant to section 189 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the “Act”) and are seeking a protective award in respect of failure to consult in accordance with section 188 and section 188A of the Act.
5. The Claimants listed in the Schedule to this Judgment were all assigned to an establishment where 20 or more redundancies were proposed by their employer within a period of 90 days. The Respondent did not fully inform and consult with the Claimants in accordance with the provisions of section 188 and section 188A of the Act.
6. The Tribunal makes a protective award in favour of the Claimants listed in the Schedule to this judgment for a protected period of 90 days.

**Case Numbers: 3316121/2019 to 3316124/2019  
(multiple claim reference 4527)  
and 3314956/2019 to 3314961/2019 (multiple claim reference 4507)**

7. The parties agree that for the purposes of this Judgment, the protected period in relation to each of the claimants begins on the Termination Date and lasts for a protected period of 90 days.
8. The Tribunal also makes an order for the payment of a Statutory Redundancy Payment in favour of one Claimant, Patricia Keen, in the amount of £3,810. This is based on Patricia Keen's date of birth, start date of 1 September 2013, redundancy date of 31 January 2019 and a weekly gross rate of pay of £538.46.
9. 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.
10. For the avoidance of doubt, this Judgment applies to the Claimants listed in the attached Schedule only and it is agreed that the claims listed in the Schedule are extinguished in their entirety by this Judgment by Consent.
11. 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.

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**Employment Judge Hawksworth**

Date: 3 January 2023

Sent to the parties on: 7/3/2023

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For the Tribunal Office

**Case Numbers: 3316121/2019 to 3316124/2019  
(multiple claim reference 4527)  
and 3314956/2019 to 3314961/2019 (multiple claim reference 4507)**

**SCHEDULE**

The Claimants who are entitled to a protective award for a 90 day period and are included within the scope of the Judgment by Consent are listed in this Schedule.

	Claim Number	Name
1.	3316122/2019	Manali Desai-Patel
2.	3316124/2019	Daksha Patel
3.	3316121/2019	Carla Stout
4.	3316123/2019	Sarah Hogg
5.	3314956/2019	Patricia Keen
6.	3314959/2019	Alice Nunn
7.	3314958/2019	Zsofia Nesselfield
8.	3314957/2019	Amanda Orkney-Smith
9.	3314960/2019	Tina Ruting Randle
10.	3314961/2019	Sonia Simoes