



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs S Miller

**Respondent:** Round Green Pre-School

**Heard at:** Watford (by CVP)

**On:** 3 March 2023

**Before:** Employment Judge Maxwell

## Appearances

For the claimant: in person

For the respondent: no attendance

## JUDGMENT

The Claimant's claim for a redundancy payment is well founded and she is entitled to £3,827.26

## REASONS

1. The Claimant contacted ACAS on 2 August and received her certificate on 31 August 2022. She presented a claim on 14 September 2022, seeking a redundancy payment. The Respondent did not present a response within the time allowed and on 19 December 2022, a letter was sent advising that judgment may now be entered under Rule 21.
2. I heard evidence from the Claimant.

## Facts

3. The Claimant was employed by the Respondent pre-school business as Deputy Early Years Manager/Administrator from 1 October 2010 to 29 July 2022.
4. On 1 July 2022, the Claimant was told that that the pre-school was closing at the end of term and her position would be made redundant, with effect from 29 July 2022.
5. On the 6 July 2022, the Respondent's Management Committee resigned.
6. The Claimant made enquiries and came to understand from Ofsted that the preschool could not continue without a committee. The business was closed

from that point and did not reopen. The Claimant had no further contact from the Respondent.

- 7. The Claimant was paid in the months prior to her dismissal:
  - 7.1 April 2022 - £1,187.97
  - 7.2 May 2022 - £1,277.64
  - 7.3 June 2022 - £1,220.47
  - 7.4 July 2022 - £1,057.97
  - 7.5 August 2022 - £1,117.56
- 8. This give a monthly average figure for gross pay of £1,172.32. Multiplying that figure by 12 and dividing by 52 gives a weekly figure of £270.53.

**Conclusion**

- 9. I am satisfied the Claimant was dismissed for the reason of redundancy. The Respondent's need for an employee to carry out the work the Claimant did ceased on the closure of the business.
- 10. The Claimant had 11 complete years of service. She was 50 years of age at the point of dismissal. She had 9 years' service when she was not below the age of 41. On this basis, she is entitled to:

10.1	9 weeks x 1.5 x £270.53	=	£3,652.15
10.2	2 weeks x £270.53	=	£541.06
10.3	Total	=	<b><u>£4,193.21</u></b>

EJ Maxwell

Date: 3 March 2023

Sent to the parties on:  
27 March 2023

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For the Tribunal Office:  
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