Case No: 3310745/2022, 3310746/2022, 3310748/2022 & 3310749/2022



EMPLOYMENT TRIBUNALS

Claimants: Mrs J Chambers and Mr P O'Sullivan

Respondent: Finsbury Management Limited (in voluntary liquidation)

Heard at: Watford via CVP **On:** 17th February 2023

Before: Employment Judge Moxon

Representation

Claimant: Attended in person

Respondent: Not present

JUDGMENT

1. The Respondent's name is amended to Finsbury Management Limited (in voluntary liquidation).

Mrs J Chambers

- 2. Mrs J Chambers was dismissed by reason of redundancy. The claim for redundancy pay is dismissed upon withdrawal as it was paid by the insolvency company prior to the hearing.
- 3. That dismissal was unfair due to there being no consultation.
- 4. The basic award is reduced to nil as it is the same as the redundancy payment and there cannot be double recovery.
- 5. No compensation arises on account of the fact that Ms J Chambers would have nevertheless been made redundant on the same date given the closure of the Respondent's business.
- The Respondent breached the employment contract by failing to pay Ms J
 Chambers notice pay and is ordered to pay Ms J Chambers £5,405.54 gross.

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7. The Respondent is therefore ordered to pay Ms J Chambers the total of £4,405.54 gross.

Mr P O'Sullivan

- 8. Mr P O'Sullivan was dismissed by reason of redundancy. The claim for redundancy pay was dismissed upon withdrawal as it was paid by the insolvency company prior to the hearing.
- 9. That dismissal was unfair due to there being no consultation.
- 10. The basic award is reduced to nil as it is the same as the redundancy payment and there cannot be double recovery.
- 11. No compensating arises on account of the fact that Mr P O'Sullivan would have nevertheless been made redundant on the same date given the closure of the Respondent's business.
- 12. The Respondent breached the employment contract by failing to pay Mr P O'Sullivan notice pay and is ordered to pay Mr P O'Sullivan £5,405.54 gross.
- 13. The Respondent is therefore ordered to pay Mr P O'Sullivan the total of £4,405.54 gross

Employment Judge Moxon

Date: 17th February 2023

JUDGMENT SENT TO THE PARTIES ON

30/3/2023

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FOR THE TRIBUNAL OFFICE

Note

Written reasons will not be provided unless 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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