

**IN THE (MIDLANDS WEST)
EMPLOYMENT TRIBUNAL**

CASE NO: see schedule annexed

Between

SEE SCHEDULE ANNEXED

Claimants

- and -

DEBENHAMS RETAIL LIMITED (IN ADMINISTRATION)

Respondent

JUDGMENT

1. The claimants listed in the attached schedule to this Judgment (the "Claimants") were all employed by the First Respondent at their Portsmouth store.
2. On 9 April 2020, the First Respondent entered administration and Geoffrey Paul Rowley and Alastair Rex Massey (both of FRP Advisory, 2nd Floor, 110 Cannon Street, London, EC4N 6EU) were appointed as joint administrators ("Joint Administrators").
3. The Claimants were dismissed by the First Respondent by reason of redundancy on 31 January 2021.
4. The Claimants 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 s.188 and s.188A of the Act.
5. The Claimants were all assigned to an establishment where 20 or more redundancies were proposed by their employer within a period of 90 days. The First Respondent did not fully inform and consult with the Claimants in accordance with the provisions of s.188 and s.188A of the Act.

6. The protected period should be 90 days from the date of the first dismissal (31 January 2021)
7. The Protective Award Payments will rank as unsecured claims in the insolvency of the First Respondent but some of the Protective Award Payments may be wholly recoverable from the Redundancy Payments Service.
8. 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.
9. For the avoidance of doubt, this Judgment applies to the listed Claimants only.
10. To the extent that the claim forms may have intimated any other claims they will stand dismissed automatically 14 days after the date of this order UNLESS the claimant writes in specifying any outstanding claim and providing administrator consent in respect thereof within that timeframe.

Employment Judge Broughton
Date: 19 September 2023

Annex

Title	First name	Surname	Case Number
Miss	Susan	Harrison	1403109/2020
Mrs	Susan	Molloy	2203735/2020
Mrs	Megan	Beverley - Wright	2205072/2020
Ms	Marilyn	Dallow	3314211/2020
Miss	Amber	Houghton	2201820/2021
Miss	Aneta	Wanat	2201822/2021
Mr	Charlie	King	2201830/2021
Ms	Diana	Wojewoda	2201833/2021
Mrs	Elizabeth	Nash	2201837/2021
Mrs	Linda	Goble	2201853/2021
Ms	Marilyn	Doherty	2201859/2021
Mr	Mariusz	Nithal Czop	2201860/2021
Mr	Matthew	Scott	2201862/2021
Mr	Michael	Laver	2201864/2021
Ms	Nicola	Martin	2201866/2021
Mrs	Rebecca	Johnson	2201873/2021
Mr	Ross	Mcburnie	2201874/2021
Mr	Scott	Wyper	2201883/2021
Mr	Shaun Michael	Carter	2201887/2021
Miss	Theresa	Smith	2201891/2021
Miss	Zoe	Edwards	2201897/2021