

**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 Chester 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 or after 12 May 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 dismissed (12 May 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: 3 January 2023

Annex

Title	First name	Surname	Case Number
Mrs	Sarah	Fox	2205189/2020
Miss	Jade	Magowen	2205176/2020
Mr	Scott	Gull	2205223/2020
Ms	Angela	Griffiths	2205222/2020
Mr	Andrew	Cassidy	2206178/2020
Ms	Meg-Kay	Connor-Scahill	2206181/2020
Ms	Lisa-Marie	Dietrich	2206186/2020
Mr	Kinglsey	James	2206187/2020
Ms	Catherine	O'Kelly	2206188/2020
Ms	Jessica	Wiggins	2206190/2020
Ms	Danielle	Siddall	2206191/2020
Mr	Ernest	Thomas	2207579/2020
Mr	David	Lloyd	2207580/2020
Ms	Donna	Ellis	2207581/2020
Ms	Debra	Rielly	2207583/2020