



EMPLOYMENT TRIBUNALS

- Claimants:** J Bird & others (see attached Schedule 1)
- Respondents:** (1) Rutherford Cancer Care Limited (in Compulsory Liquidation)
- (2) Rutherford Health Plc (in Compulsory Liquidation)
- (3) Rutherford Diagnostics Limited (in Compulsory Liquidation)
- Interested Party:** Secretary of State for Business, Energy and Industrial Strategy

JUDGMENT ON REMEDY

1. The Tribunal makes a protective award under section 189 of the Trade Union and Labour Relations (Consolidation) Act 1992 in favour of the Claimants listed in the Schedule attached ("Schedule 1") against the Respondents listed in that schedule.
2. The protected period begins on **13 June 2022**. The Respondents are ordered to pay remuneration to the Claimants in Schedule 1 for the protected period which:
 - a. **85** days in respect of those employees identified on Schedule 1 as being employed by 'Rutherford Cancer Care Limited' and 'Rutherford Health Plc'.
 - b. **75** days in respect of those employees identified on Schedule 1 as being employed by 'Rutherford Diagnostics Limited'.
3. The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 ('the Regulations') apply to the protective award.

Employment Judge Sweeney

Date: 18 September 2023

JUDGMENT SENT TO THE PARTIES ON

27 September 2023

Miss K Featherstone
FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

SCHEDULE 1

Number	Multiple	Claimant	Employer	Site employed at	Length of Protective Award
1	Kettle (3312689/2022)	Zoe Kettle	Rutherford Cancer Care Limited	Shinfield	85 days
2	Kettle (3312690/2022)	Camilla Sweeney	Rutherford Health Plc	Newport	85 days
3	Bryson (3312691/2022)	Emily May Bryson	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
4	Bryson (3312692/2022)	David Cattaneo	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
5	Bryson (3312693/2022)	Helen Kathleen Cooper	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
6	Bryson (3312694/2022)	Brandon Denver Flandorp	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
7	Bryson (3312695/2022)	Benjamin William Goldsmith	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
8	Bryson (3312696/2022)	Ali Hussein	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
9	Bryson (3312697/2022)	Sophie Louise Main	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
10	Bryson (3312698/2022)	Emily Joy Orton	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
11	Bryson (3312699/2022)	Kirsty Janet Sidaway	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
12	Bryson (3312700/2022)	Thembelime Nia Muyirimi	Rutherford Cancer Care Limited	Shinfield, Reading	85 days
13	Ballard-Heap (1601361/2022)	Annie Ballard-Heap	Rutherford Cancer Care Limited	Newport	85 days
14	Ballard-Heap (1601362/2022)	Kapungwe Chabu	Rutherford Cancer Care Limited	Newport	85 days
15	Ballard-Heap (1601363/2022)	Katie Jayne Evans	Rutherford Cancer Care Limited	Newport	85 days
16	Ballard-Heap (1601364/2022)	Misbah El-Sayed Rass	Rutherford Cancer Care Limited	Newport	85 days
17	Ballard-Heap	Lauren	Rutherford	Newport	85 days

	(1601365/2022)	Marie Evans	Cancer Care Limited		
18	Ballard-Heap (1601366/2022)	Daniel Humphray	Rutherford Cancer Care Limited	Newport	85 days
19	Ballard-Heap (1601367/2022)	Theodore Luke Oliver	Rutherford Cancer Care Limited	Newport	85 days
20	Ballard-Heap (1601368/2022)	Kerry Amy Owen	Rutherford Cancer Care Limited	Newport	85 days
21	Ballard-Heap (1601369/2022)	Natalia Rudd	Rutherford Cancer Care Limited	Newport	85 days
22	Ballard-Heap (1601370/2022)	Carl John Sweeney	Rutherford Cancer Care Limited	Newport	85 days
23	Bennett (2501642/2022)	Christopher John Bennett	Rutherford Cancer Care Limited	Northumberland	85 days
24	Bennett (2501643/2022)	Helen Louise Bridges	Rutherford Cancer Care Limited	Northumberland	85 days
25	Bennett (2501644/2022)	Lisa Huthart	Rutherford Cancer Care Limited	Northumberland	85 days
26	Bennett (2501645/2022)	Celia Lesley Miller	Rutherford Cancer Care Limited	Northumberland	85 days
27	Bennett (2501646/2022)	Claire Elizabeth Morris	Rutherford Cancer Care Limited	Northumberland	85 days
28	Bennett (2501647/2022)	Ann Louise Patrick	Rutherford Cancer Care Limited	Northumberland	85 days
29	Bennett (2501648/2022)	Elizabeth Helen Porteous	Rutherford Cancer Care Limited	Northumberland	85 days
30	Bennett (2501649/2022)	Laura Jayne Richardson	Rutherford Cancer Care Limited	Northumberland	85 days
31	Bennett (2501650/2022)	Andrew Charles Sawyer	Rutherford Cancer Care Limited	Northumberland	85 days
32	Bennett (2501651/2022)	Rebecca Simmons	Rutherford Cancer Care Limited	Northumberland	85 days
33	Bennett (2501652/2022)	Kimberley Topham	Rutherford Cancer Care Limited	Northumberland	85 days
34	Bennett (2501653/2022)	Kimberley Anne Wardle	Rutherford Cancer Care Limited	Northumberland	85 days
35	Bird	Jenni Bird	Rutherford	Liverpool	85 days

	(248605/2022)		Cancer Care Limited		
36	Bird (248606/2022)	Samantha Victoria Brown	Rutherford Cancer Care Limited	Liverpool	85 days
37	Bird (248607/2022)	Grace Gale-Smith	Rutherford Cancer Care Limited	Liverpool	85 days
38	Bird (248608/2022)	Zoey Gray	Rutherford Cancer Care Limited	Liverpool	85 days
39	Bird (248609/2022)	Kelly Marie Lau	Rutherford Cancer Care Limited	Liverpool	85 days
40	Bird (248615/2022)	Heather Martin	Rutherford Cancer Care Limited	Liverpool	85 days
41	Bird (248611/2022)	Jill McKenna	Rutherford Cancer Care Limited	Liverpool	85 days
42	Bird (248612/2022)	Angela Morgan	Rutherford Cancer Care Limited	Liverpool	85 days
43	Bird (248613/2022)	James William Tallon	Rutherford Cancer Care Limited	Liverpool	85 days
44	Bird (248614/2022)	Jessica Mary Thomas	Rutherford Cancer Care Limited	Liverpool	85 days
45	Harwood (1403189/2022)	Rachel Katherine Harwood	Rutherford Diagnostics Limited	Taunton	75 days
46	Harwood (1403190/2022)	Sheena Anne Jones	Rutherford Diagnostics Limited	Taunton	75 days
47	Harwood (1403191/2022)	Paul Miles	Rutherford Diagnostics Limited	Taunton	75 days
48	Harwood (1403192/2022)	Alison Reed	Rutherford Diagnostics Limited	Taunton	75 days
49	Harwood (1403193/2022)	Joanne Karen Shepherd	Rutherford Diagnostics Limited	Taunton	75 days
50	Harwood (1403194/2022)	Malcolm Edward Stewart	Rutherford Diagnostics Limited	Taunton	75 days
51	Harwood (1403195/2022)	Marianne Sweeney	Rutherford Diagnostics Limited	Taunton	75 days