



EMPLOYMENT TRIBUNALS

First Claimant: Mr Danny Howard
Second Claimant: Mr John Jackson

First Respondent: Hallmark Connections Limited
Second Respondent: First Choice Mini-Bus Service Limited

Heard at: Watford

On: 3-5 July 2023
10-11 July 2023
4 September 2023

Before: Employment Judge Bansal
Members – Mrs A Brosnan & Mrs C Baggs

Representation

Claimants: In person
First Respondent: Mr R Beaton (Counsel)
Second Respondent: Mrs Evans Jarvis (Solicitor)

JUDGMENT

The unanimous judgment of the Tribunal is that;

1. The Claimants employment transferred from the First Respondent to the Second Respondent on 1 August 2021. The transfer was a relevant transfer under the Transfer of Undertakings (Protection of Employment) Regulations 2006, following a service provision change.
2. The First Respondent is discharged from these proceedings.
3. The Claimants claims for automatic unfair dismissal against the Second Respondent are well founded and succeed.
4. The Claimants claims for failure to inform and consult under Regs 13 & 15 of the Transfer of Undertakings (Protection of Employment) Regulations 2006, are not well founded and are dismissed.
5. The Second Respondent is ordered to pay the following sums to the Claimants as set out below;

7. The First Claimant (Mr Danny Howard)

1. Basic Award - £12,512.00;
2. Compensatory Award- £6,391.76;
3. Notice Pay – £5,544.96;
4. Loss of Statutory Rights - £450.00;

The total sum awarded is **£24,898.72**

8. The Employment Protection (Recoupment of Benefits) Regulations 1996 apply to the compensatory award for unfair dismissal. For the purposes of those Regulations.

1. The monetary award is £19,353.76;
2. The prescribed element is £6,391.16;
3. The prescribed period is 1 November 2021 to 5 April 2022.
4. The monetary award exceeds the prescribed element by; £12,962.60

9. The Second Claimant (Mr John Jackson)

1. Basic Award - £16,320.00;
2. Notice Pay - £5916.00;
3. Loss of Statutory Rights - £450.00

The total sum awarded is **£22,686.00**

The Employment Protection (Recoupment of Benefits) Regulations 1996 do not apply to this Claimant.

Employment Judge Bansal
Date 26 September 2023

JUDGMENT SENT TO THE PARTIES ON
12 October 2023

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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.

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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.