

**IN THE (MIDLANDS WEST)
annexed**

CASE NO: see schedule

EMPLOYMENT TRIBUNAL

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 Liverpool 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 14 August 2020.
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 (14 August 2020)
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: 22 December 2022

Annex

Title	First name	Surname	Case Number
Miss	Katie	McEvilly	2415240/2020
Mrs	Jayne	Holt	2417992/2020
Miss	Anastasia	Leigh	2418213/2020
Mrs	Katherine	McIntyre	2418216/2020
Mr	John	Disley	2418582/2020
Mrs	Natasha Ann	Corrin	2418615/2020
Mr	Samuel	Felton	3314224/2020
Miss	Rachael	Gillies	3314232/2020
Miss	Shelly	Hughes	3314250/2020
Ms	Jane	McGowan	3314279/2020
Mrs	Jane	McNally	3314281/2020
Mrs	Maria	Moore	3314287/2020
Mrs	Rebecca	Morris	3314288/2020
Mr	Anthony	Ord	3314296/2020
Ms	Suzanne	Bailey	3314174/2020
Ms	Lisa	Tyson	3314347/2020