



EMPLOYMENT TRIBUNALS

AT A HEARING

Claimants: Mrs Hayley Whipp & Others (see schedule)

Respondent: Farmison Limited (in administration)

Heard at: Leeds by CVP video conferencing **On:** 7th November 2023
Before: Employment Judge Lancaster

Representation

Claimants: In attendance:
Sharon Pallagi for Adam Pallagi & Lily Mae Pallagi
Matthew Grainger for Joe Sparrow Young & Jake Garrington
Andrew Cavanna
Emily Pallagi for John Pallagi, Ilona Pallagi & Andrew Carrington
Louise Davies
Danny Taylor
Wayne Standley
Lottie Green
Victoria Learmouth
Lynette Pearson
Stuart Hawkshaw for John Powton, Robert Rose & Lawrence Buckley
Lorna Bell

Not in attendance by prior notification to the Tribunal:
Hayley Whipp
Aaron Wood
James Copplestone
Jodie White

Not in attendance but without prior notification:
Ben Andrews
Chris Andrews
Trinity Pegg
Samuel Wolloms
Harry Cook
Mary Foster
James Robnson

Respondent: No appearance entered and did not attend, but the

Case Nos:1802363/2023 & Others (see schedule)
administrators gave permission for the protective award
claims only to proceed

On 10th August 2023 the Secretary of State for BEIS was notified of these claims pursuant to rule 96 of the Employments Tribunals Rules of Procedure 2103, but has not entered any response and did not attend.

Under rule 21 of the Employments Tribunals Rules of Procedure 2103, the Employment Judge having confirmed by the requiring of further information that all Claimants were employed at the same establishment at Bondgate Green Ripon, that all were dismissed on 6th April 2023, that there was no recognised trade union and that there was no election of representatives:

JUDGMENT

- 1) The Respondent has failed to comply with the provisions of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992 by not electing or consulting with appropriate employee representatives.
- 2) The Claimants are each entitled to a protective award for a period of 90 days beginning on 6th April 2023.
- 3) Claim 1802630/2023 in the name of Louise Davies is, however, struck out as a duplicate of claim 1802620/2023 so that she cannot recover twice.
- 4) The Respondent is under a duty to provide the required information to the Secretary of State under regulation 5 (2) (6) of the Employment Protection (Recoupment of Benefits) Regulations 1996 and in respect of any remuneration to which they are entitled under this protective award payment is stayed pursuant to regulations 7 and 8.

Employment Judge Lancaster
7th November 2023

Case Nos:1802363/2023 & Others (see schedule)

1802363/2023 Mrs H Whipp & 31 Others -v- Farmison Ltd (In administration)

Case Number	Claimant Name
1802363/2023	Mrs Hayley Whipp
1802364/2023	Mr Adam Pallagi
1802366/2023	Miss Lily Mae Pallagi
1802371/2023	Mr Joe Sparrowyoung
1802468/2023	Mr Andrew Cavanna
1802479/2023	Mr John Pallagi
1802480/2023	Miss Ilona Pallagi
1802582/2023	Mr Andrew Carrington
1802620/2023	Mrs Louise Davies
1802621/2023	Mr Danny Taylor
1802622/2023	Mr Mathew Grainger
1802623/2023	Mr Ben Andrews
1802624/2023	Mr Chris Andrews
1802625/2023	Mr Lawrence Buckley
1802626/2023	Mr Wayne Standley
1802627/2023	Mr Aaron Wood
1802628/2023	Miss Lottie Green
1802629/2023	Miss Trinity Pegg
1802630/2023	Mrs Louise Davies
1802642/2023	Miss Victoria Learmonth
1803076/2023	Mr Samuel Wolloms
1803079/2023	Mr James Copplestone
1803080/2023	Mr Harry Cook
1803081/2023	Mary Foster
1803082/2023	Lynette Pearson
1803083/2023	Mr Stuart Hawkshaw
1803084/2023	Mr John Powton
1803085/2023	Mr Robert Rose
1803086/2023	James Robinson
1803087/2023	Miss Jodie White
1803088/2023	Mrs Lorna Bell
1804133/2023	Mr Jake Garrington