



EMPLOYMENT TRIBUNALS

Claimant: Mrs S Whitehead

Respondents: Primrose Court Health Care Ltd

HELD AT: Newcastle Employment Tribunal

BY: Cloud Video Platform (CVP) ON: 11 December 2023

BEFORE: Employment Judge Martin

REPRESENTATION:

Claimant: Mr N Guss (solicitor) with claimant in attendance

Respondents: Mr E Mawoko (employment consultant)

Rule 21 JUDGMENT

The Judgment is as follows:

1. The claimant's claim for a Protective Award under Section 189(2) of Trade Union and Labour Relations (Consolidation) Act 1992 (TULRA) is well founded, in respect of all those employees dismissed on 31 January 2023 by reason of redundancy, pursuant to Rule 21 of schedule 1 of the ETs (Constitution & Rules of Procedure Regulations 2013 (the ET Rules)).
2. The claim is listed for a Remedies Hearing to take place at **2pm on Friday 12 January 2024** at Newcastle Employment Tribunal. The hearing will be conducted by way of Cloud Video Platform (CVP). Further details on CVP hearings will be sent to the parties in due course. It has been listed with a time estimate of 3 hours.

REASONS

- 1) No Response has been filed in these proceedings. The respondents only very recently instructed their representative, who was in attendance today.

- 2) Although the parties had sought to settle this outstanding claim, they were unable to agree as part of an overall settlement, the amount of any compensation for a protective award. However, the parties agreed that judgement could be entered on the claim for a protective award, ostensibly under Rule 21 of the ET Rules.
- 3) The case is listed for a Remedies Hearing, unless the claimant applies to withdraw her claim; following an agreement being reached between the parties respect of that claim.

Employment Judge Martin
Date 22 December 2023

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