



EMPLOYMENT TRIBUNALS

Claimant(s): Ms E Bancroft

Respondent(s): (1) Ideal Shopping Direct Limited (in administration)
(2) Ideal World Limited (in administration)

Heard at: Bury St Edmunds Employment Tribunal (via CVP) **On:** 7 December 2023

Before: Employment Judge Hanning

Appearances

For the Claimant(s): Mr L Pike (Solicitor)

For the Respondent(s): Neither Respondent attended or was represented

JUDGMENT

The decision of the Employment Judge is:

- 1) The complaint of breach of contract in relation to notice pay is well-founded.
- 2) The second respondent shall pay the claimant £3,664.73 as damages for breach of contract. This figure has been calculated using gross pay to reflect the likelihood that the claimant will have to pay tax on it as Post Employment Notice Pay
- 3) The respondents failed to inform and consult the claimant as required under Regulation 13 of the Transfer of Undertakings (Protection of Employment) Regulations 2006, and are ordered to pay the claimant 13 weeks' pay, amounting to £13,250.00 gross.
- 4) The respondents are jointly and severally liable for the award in accordance with regulation 15(9).
- 5) The respondents 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.

- 6) The claimant is entitled to a protective award for a period of 90 days beginning on 22 February 2022 payable by the second respondent.
- 7) The second 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 and payment is stayed pursuant to regulations 7 and 8.

Employment Judge Hanning

Date: 7 December 2023

Sent to the parties on: 30 January 2024

For the Tribunal Office

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.

Note

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.