



EMPLOYMENT TRIBUNALS

Claimant: Mr A Coleman
Mr L Edwards
Mr M Taylor

Respondent: 1. UK Protected Limited trading as “Freedom to Insure” in
Administration
2. Secretary of State for Business Energy and Industrial Strategy

Upon reading the claim forms, the second respondent’s response and having given the parties an opportunity to make written representations.

JUDGMENT

- (1) The respondent has failed to comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992. The claim for a protective award succeeds.
- (2) The Tribunal makes a protective award in respect of the claimants who worked at the respondent’s establishment at Freedom House, 1 Charity Estate, Ivy Road, Aldershot, Hampshire GU12 4TX and who were dismissed as redundant on or after 19 June 2023 that the employer pay remuneration for the protected period which begins on 19 June 2023 and is for a period of 90 days. The Recoupment Regulations apply.

REASONS

1. The claimants were employed at the same establishment in Aldershot, Freedom House, 1 Charity Estate, Ivy Road, Aldershot, Hampshire GU12 4TX (“the establishment”), and were made redundant on or after 19 June 2023.
2. There were more than 20 employees at the establishment.

3. The claimants have presented their claims for a protective award within the statutory time limit.
4. There was not a recognised trade union nor elected employee representatives at the establishment.
5. 20 or more employees at the establishment were made redundant or placed at risk of redundancy, on or within 90 days of 19 June 2023.
6. The claimants were dismissed during this period without any consultation having taken place.
7. The first respondent has not filed a response. The second respondent has filed a response to assist the Tribunal only and has no direct knowledge of events. In these circumstances it is disproportionate to convene a hearing.
8. There is no reason to depart from the principle that protective awards are punitive and should be for the maximum period unless there are circumstances making it just not to do so.

Regional Employment Judge Foxwell

Date: 4 April 2024

JUDGMENT SENT TO THE PARTIES ON

15 May 2024

FOR THE TRIBUNAL OFFICE