



EMPLOYMENT TRIBUNALS

Claimant: Mr A Palmer & Others

Respondent: 1. Kettle Agencies Limited in Creditors Voluntary Liquidation

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 5-7 Macadam Road, Earlstrees Industrial Estate, Corby, Northamptonshire, NN17 4JN and who were dismissed as redundant on or after 14 April 2023 that the employer pay remuneration for the protected period which begins on 14 April 2023 and is for a period of 90 days. The Recoupment Regulations apply.

REASONS

1. The claimants were employed at the same establishment in 5-7 Macadam Road, Earlstrees Industrial Estate, Corby, Northamptonshire, NN17 4JN ("the establishment"), and were made redundant on or after 14 April 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 14 April 2023.
6. The claimants were dismissed during this period without any consultation having taken place.
7. The first respondent, which is in creditors voluntary liquidation, has not filed a response but its liquidators acknowledge not consulting with the claimants about redundancies. The second respondent has filed a response to assist the Tribunal only and has no direct knowledge of events. In these circumstances it would be disproportionate to convene a hearing.
8. There appears to be 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: 1 May 2024

JUDGMENT SENT TO THE PARTIES ON

.....16 May 2024.....

.....S.Kent.....
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.

Multiple Schedule

Multiple:

3300975 - KETTLE INTERIORS AGENCIES LIMITED

Case Number	Case Name
3307396/2023	Mr Anthony Palmer -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307397/2023	Mr Anthony Palmer -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307398/2023	Ms Bethany Bonser-Hughes -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307399/2023	Ms Carmen Nel -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307400/2023	Ms Claire Millar -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307401/2023	Ms Clover Saffron Clayden -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307402/2023	Mr Connor Tosh -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307403/2023	Ms Dawn Cross -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307404/2023	Mr Eslam Baiuomy -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307405/2023	Ms Jacqueline Fisher -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307406/2023	Mr James Burton -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307407/2023	Ms Jodie Gilsean -v- KETTLE INTERIORS AGENCIES LIMITED(In Creditors Voluntary Liquidation) & Other
3307408/2023	Mr Joe Briffa -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307409/2023	Mr Joshua Green -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307410/2023	Mr Liam Wales -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307411/2023	Ms Maria Franco -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307412/2023	Ms Natasha Binks -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307413/2023	Ms Niamh King -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307414/2023	Mr Philip Gant -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307415/2023	Ms Rebecca McCahill -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307416/2023	Mr Robyn Young -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307417/2023	Ms Sarah Burton -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307418/2023	Mr Simon Ainge -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307419/2023	Mr Thomas Bayliss -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307420/2023	Ms Zara Christina Hill -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307421/2023	Ms Zoe Crombie -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other
3307422/2023	Ms Nicola Bayliss -v- KETTLE INTERIORS AGENCIES LIMITED (In Creditors Voluntary Liquidation) & Other