



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs S McGhee

**Respondent:** Axiom Ince Limited (In Administration)

**Heard at:** Manchester

**On:** 30 May 2024  
(in Chambers)

**Before:** Employment Judge K M Ross

## REPRESENTATION:

**Claimant:** Not in attendance

**Respondent:** Not in attendance

# JUDGMENT

## Employment Tribunals Rules of Procedure 2013 – Rule 21

The judgment of the Tribunal is that:

1. The claimant's claim for a redundancy payment is well-founded and I order the respondent to pay the claimant a redundancy payment of £12,217. (The claimant had 13 years' complete service with the respondent. She was aged over 41. The statutory cap of £643 weekly applies. The claimant is entitled to 19 x £643).
2. The claimant's claim for notice pay is well-founded and I order the respondent to pay the claimant 12 weeks' gross pay at £713.07 weekly = £8,556.84.
3. The claimant's claim for unpaid wages is well-founded and I order the respondent to pay the claimant two days' pay for 2 and 3 October 2023 of £285.22.
4. The claimant's complaints under section 189 of the Trade Union and Labour Relations (Consolidation) Act 1992 of a failure by the respondent to comply with the requirements of section 188 of the 1992 Act is not well-founded. This is because the claimant was based at Manchester in an establishment where less than 20 staff were made redundant. The law states that more than 20

staff at one establishment must be made redundant for a claimant to be eligible for a protective award.

Employment Judge K M Ross

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Date: 17 June 2024

JUDGMENT SENT TO THE PARTIES ON

28 June 2024

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990 ARTICLE 12

Case number: **2410975/2023**

Name of case: **Mrs S J McGhee** v **Axiom Ince Limited (In Administration)**

Interest is payable when an Employment Tribunal makes an award or determination requiring one party to proceedings to pay a sum of money to another party, apart from sums representing costs or expenses.

No interest is payable if the sum is paid in full within 14 days after the date the Tribunal sent the written record of the decision to the parties. The date the Tribunal sent the written record of the decision to the parties is called **the relevant decision day**.

Interest starts to accrue from the day immediately after the relevant decision day. That is called **the calculation day**.

The rate of interest payable is the rate specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as **the stipulated rate of interest**.

The Secretary of the Tribunal is required to give you notice of **the relevant decision day**, **the calculation day**, and **the stipulated rate of interest** in your case. They are as follows:

**the relevant decision day** in this case is: 28 June 2024

**the calculation day** in this case is: 29 June 2024

**the stipulated rate of interest** is: **8% per annum**.

For the Employment Tribunal Office

## GUIDANCE NOTE

1. There is more information about Tribunal judgments here, which you should read with this guidance note:  
[www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426](http://www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426)

If you do not have access to the internet, you can ask for a paper copy by telephoning the Tribunal office dealing with the claim.

2. The payment of interest on Employment Tribunal awards is governed by The Employment Tribunals (Interest) Order 1990. Interest is payable on Employment Tribunal awards if they remain wholly or partly unpaid more than 14 days after the **relevant decision day**. Sums in the award that represent costs or expenses are excluded. Interest starts to accrue from the day immediately after the **relevant decision day**, which is called **the calculation day**.
3. The date of the **relevant decision day** in your case is set out in the Notice. If the judgment is paid in full by that date, no interest will be payable. If the judgment is not paid in full by that date, interest will start to accrue from the next day.
4. Requesting written reasons after you have received a written judgment does **not** change the date of the **relevant decision day**.
5. Interest will be calculated as simple interest accruing from day to day on any part of the sum of money awarded by the Tribunal that remains unpaid.
6. If the person paying the Tribunal award is required to pay part of it to a public authority by way of tax or National Insurance, no interest is payable on that part.
7. If the Secretary of State has claimed any part of the sum awarded by the Tribunal in a recoupment notice, no interest is payable on that part.
8. If the sum awarded is varied, either because the Tribunal reconsiders its own judgment, or following an appeal to the Employment Appeal Tribunal or a higher court, interest will still be payable from **the calculation day** but it will be payable on the new sum not the sum originally awarded.
9. The online information explains how Employment Tribunal awards are enforced. The interest element of an award is enforced in the same way.