



EMPLOYMENT TRIBUNALS

Claimant: Mrs C Phillips-Williams

Respondent:

1. Qube Qualifications and Development Limited
(in Creditors Voluntary Liquidation)
2. Secretary of State for Business & Trade

JUDGMENT

The judgment of the Tribunal is as follows:

Protective award

1. The respondent's premises at Bee House, 140 Eastern Avenue, Milton Park, Abingdon, Oxfordshire, OX14 4SB constituted an establishment for the purpose of s188 of the Trade Union and Labour Relations (Consolidation) Act 1992 ("TULR(C)A").
2. There was no recognised trade union or appointed or elected employee representatives for the purpose of s188(1B) of TULR(C)A.
3. The complaint that the respondent failed to comply with a requirement of s188 of TULR(C)A is upheld.
4. The Tribunal makes a protective award in favour of the claimant.
5. The respondent is ordered to pay to the claimant remuneration for the protected period of 90 days (or 12.86 weeks) beginning on 28 March 2023 of **£7,047.28**.

Notice pay

6. The complaint of breach of contract in relation to notice pay is well-founded.
7. The respondent shall pay the claimant **£1,756** as damages for breach of contract (equivalent of 1 week's pay). This figure has been calculated using net pay.

Breach of contract (wages)

8. The complaint of breach of contract (expenses – mileage) is well-founded.

9. The respondent is ordered to pay £127 as damages for breach of contract.

Wages

10. The complaint of unauthorised deductions from wages is well-founded. The respondent made an unauthorised deduction from the claimant's wages in the period 1 to 28 March 2023.

11. The respondent shall pay the claimant **£2,192**, which is the gross sum deducted. The claimant is responsible for the payment of any tax or National Insurance.

Redundancy payment

12. The claim for redundancy payment is struck out as the claimant did not have the required length of service of 2 years. Under section 155 of the Employment Rights Act 1996 employees do not have a right to a redundancy payment unless they were employed for two years or more except in certain specific circumstances which do not seem to apply in this case.

Credit

13. Credit is to be given for sums paid by the Redundancy Payments Service in relation to notice pay, unpaid wages, and expenses.

Approved by:

Employment Judge Shastri-Hurst

Date: 11/03/2025

JUDGMENT SENT TO THE PARTIES ON

.....11/03/2025.....

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FOR THE TRIBUNAL OFFICE

Public access to employment tribunal decisions

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