



EMPLOYMENT TRIBUNALS

Claimant: Mrs Sarah Davies

Respondent: Hotter Shoes Limited

Heard at: Manchester

On: 4-7 March 2025 (6 March deliberations without parties)

Before: Employment Judge Cookson

REPRESENTATION:

Claimant: Miss Bunton (counsel)

Respondent: Miss Jabir (counsel)

JUDGMENT ON A PRELIMINARY ISSUE

1. The complaint of a failure to inform and consult under the Transfer of Undertakings (Protection of Employment) Regulations 2006 brought under Regulation 15 was not brought against the transferor at the time of the alleged breach of Regulation 13 and accordingly no complaint could be found to be well founded under Regulation 15(8). In those circumstances the respondent could not be liable under regulation 15(9).
2. The complaint is dismissed.

Approved by:

Employment Judge Cookson

5 March 2025

Judgment sent to the parties on:
27 March 2025
For the Tribunal:

Notes

Reasons for the judgment were given orally at the hearing. Written reasons have been requested and will be provided as soon as possible and will be placed online.

All judgments (apart from judgments under Rule 50) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings and accompanying Guidance, which can be found at www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/