



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs L Brockington  
**Respondent:** Pharma& UK Limited  
**Heard at:** in person at the Central London Tribunal  
**On:** **2, 3 and 4 April 2025**  
**Before:** Employment Judge Woodhead  
Mr R Pell  
Mr S Hearn

## Appearances

For the Claimant: In person

For the Respondent: Mr M Withers (Counsel)

## JUDGMENT

The unanimous decision of the Tribunal is:

1. The complaint of failure comply with a duty to inform and consult in relation to a relevant transfer under Regulation 13 or Regulation 13A of TUPE is dismissed because:
  - 1.1 That was not a complaint for which the Respondent could be liable because the Respondent was not the party that had an obligation to inform and consult (being the transferee) and because the Respondent could not be jointly and severally liable (the complaint not having been brought against the transferor).
  - 1.2 The complaint was not in any event presented within the applicable time limit in circumstances where it was reasonably practicable to do so.
2. The complaint of automatic unfair dismissal pursuant to Section 103A ERA (protected disclosure) is not well-founded and is dismissed.

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Employment Judge Woodhead

Date: 4 April 2025

Sent to the parties on:

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For the Tribunals Office

**Notes**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

**Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. 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 here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>