



# **EMPLOYMENT TRIBUNALS**

**Claimants: Mrs T Fletcher and others**

**Respondent: Dean House Limited (in Administration)**

## **JUDGMENT**

**Employment Tribunals Rules of Procedure 2013 – Rule 21**

1. The Tribunal makes a protective award in favour of each claimant named on the schedule to this judgment requiring the respondent to pay remuneration for the protected period of 90 days beginning on 12 November 2016.
2. The recoupment regulations apply.
3. The respondent is also ordered to reimburse to the claimants the Tribunal fee of £1,000.00 which they have paid.

Employment Judge Franey

17 March 2017

JUDGMENT SENT TO THE PARTIES ON

24 March 2017  
AND ENTERED IN THE REGISTER  
FOR THE TRIBUNAL OFFICE

## *Multiple Schedule*

### **Multiple: 11876 - Dean House Ltd (in Administration)**

<i>Case Number</i>	<i>Case Name</i>
2401026/2017	Ms Bianca Abbot -v- Dean House Limited (In Administration)
2401027/2017	Mr Edward Adams -v- Dean House Limited (In Administration)
2401028/2017	Mrs Naila Ali -v- Dean House Limited (In Administration)
2401029/2017	Ms Nareen Ali -v- Dean House Limited (In Administration)
2401030/2017	Mr Douglas Ansell -v- Dean House Limited (In Administration)
2401031/2017	Mrs Lesley Asbridge -v- Dean House Limited (In Administration)
2401032/2017	Mr Matthew Babington -v- Dean House Limited (In Administration)
2401033/2017	Miss Katie Baker -v- Dean House Limited (In Administration)
2401034/2017	Mr Andrew Bamford -v- Dean House Limited (In Administration)
2401035/2017	Mrs Karen Barber -v- Dean House Limited (In Administration)
2401036/2017	Miss Stacey Barber -v- Dean House Limited (In Administration)
2401037/2017	Mr Gregory Barlow -v- Dean House Limited (In Administration)
2401038/2017	Mr Nathan Bates -v- Dean House Limited (In Administration)
2401039/2017	Miss Laura Bebbington -v- Dean House Limited (In Administration)
2401040/2017	Ms Noorie Begum -v- Dean House Limited (In Administration)
2401041/2017	Ms Rabia Begum -v- Dean House Limited (In Administration)
2401042/2017	Mrs Lynda Bell -v- Dean House Limited (In Administration)
2401043/2017	Ms Nicola Bennett -v- Dean House Limited (In Administration)
2401044/2017	Miss Rachel Berry -v- Dean House Limited (In Administration)
2401045/2017	Ms Lorraine Boyle -v- Dean House Limited (In Administration)
2401046/2017	Miss Celia Brierman -v- Dean House Limited (In Administration)
2401047/2017	Mr Daniel Browne -v- Dean House Limited (In Administration)
2401048/2017	Mr Clive Bucknall -v- Dean House Limited (In Administration)
2401049/2017	Mrs Michelle Capewell -v- Dean House Limited (In Administration)
2401050/2017	Mr Lee Carey -v- Dean House Limited (In Administration)
2401051/2017	Mrs Marie Casey -v- Dean House Limited (In Administration)
2401052/2017	Miss Emma Chapman -v- Dean House Limited (In Administration)
2401053/2017	Mrs Lesley Cheetham -v- Dean House Limited (In Administration)
2401054/2017	Mr Andrew Clark -v- Dean House Limited (In Administration)
2401055/2017	Mr Aaron Clarke -v- Dean House Limited (In Administration)
2401056/2017	Mr Bruce Clarke -v- Dean House Limited (In Administration)
2401057/2017	Mr Philip Clarke -v- Dean House Limited (In Administration)
2401058/2017	Mr Philip Clarke -v- Dean House Limited (In Administration)
2401059/2017	Mr Charles Connon -v- Dean House Limited (In Administration)
2401060/2017	Mr Josiah Cornel -v- Dean House Limited (In Administration)
2401061/2017	Mr James Costelloe -v- Dean House Limited (In Administration)
2401062/2017	Miss Charlotte Crabtree -v- Dean House Limited (In Administration)
2401063/2017	Mr Matthew Crowther -v- Dean House Limited (In Administration)
2401064/2017	Miss Amanda Cunningham -v- Dean House Limited (In Administration)
2401065/2017	Mr Luca D Uva -v- Dean House Limited (In Administration)
2401066/2017	Ms Nicola Davies -v- Dean House Limited (In Administration)
2401067/2017	Mr Jamie Dean -v- Dean House Limited (In Administration)
2401068/2017	Mr Noel Dean -v- Dean House Limited (In Administration)
2401069/2017	Mr Gareth Dean -v- Dean House Limited (In Administration)
2401070/2017	Miss Kim Dean -v- Dean House Limited (In Administration)

**Case No: 2401083/2017  
and others (see schedule)**

2401071/2017 Mrs Andrea Dennison -v- Dean House Limited (In Administration)  
2401072/2017 Miss Sarah Dickson -v- Dean House Limited (In Administration)  
2401073/2017 Mr Andrew Doughty -v- Dean House Limited (In Administration)  
2401074/2017 Miss Laura Drysdale -v- Dean House Limited (In Administration)  
2401075/2017 Mr Mark Edwards -v- Dean House Limited (In Administration)  
2401076/2017 Miss Edel Egan -v- Dean House Limited (In Administration)  
2401077/2017 Mr Luke Ellis -v- Dean House Limited (In Administration)  
2401078/2017 Mrs Irene Elliss -v- Dean House Limited (In Administration)  
2401079/2017 Mr John Evans -v- Dean House Limited (In Administration)  
2401080/2017 Mr Paul Evans -v- Dean House Limited (In Administration)  
2401081/2017 Miss Jennifer Farrell -v- Dean House Limited (In Administration)  
2401082/2017 Mrs Desiree Fernandes -v- Dean House Limited (In Administration)  
2401083/2017 Mrs Tania Fletcher -v- Dean House Limited (In Administration)  
2401084/2017 Miss Jennifer Fordjour -v- Dean House Limited (In Administration)  
2401085/2017 Ms Amanda Gable -v- Dean House Limited (In Administration)  
2401086/2017 Mr Christian Gallagher -v- Dean House Limited (In Administration)  
2401087/2017 Mrs Janice Garner -v- Dean House Limited (In Administration)  
2401088/2017 Mr Henri George -v- Dean House Limited (In Administration)  
2401089/2017 Mr Gennaro Giordano -v- Dean House Limited (In Administration)  
2401090/2017 Mrs Hayley Godden -v- Dean House Limited (In Administration)  
2401091/2017 Miss Danielle Green -v- Dean House Limited (In Administration)  
2401092/2017 Mr Mtambo Gregory -v- Dean House Limited (In Administration)  
2401093/2017 Mr James Gunning -v- Dean House Limited (In Administration)  
2401094/2017 Mr Jonathan Gunning -v- Dean House Limited (In Administration)  
2401095/2017 Ms Laura Haddon -v- Dean House Limited (In Administration)  
2401096/2017 Ms Chloe Hampson -v- Dean House Limited (In Administration)  
2401097/2017 Ms Miriam Handford -v- Dean House Limited (In Administration)  
2401098/2017 Mrs Peni Hargreaves -v- Dean House Limited (In Administration)  
2401099/2017 Mr Robert Harley -v- Dean House Limited (In Administration)  
2401100/2017 Mr Paul Harmston -v- Dean House Limited (In Administration)  
2401101/2017 Mr Andrew Harrison -v- Dean House Limited (In Administration)  
2401102/2017 Ms Carla Hemingbrough -v- Dean House Limited (In Administration)  
2401103/2017 Mrs Margaret Herd -v- Dean House Limited (In Administration)  
2401104/2017 Mr Richard Herd -v- Dean House Limited (In Administration)  
2401105/2017 Mrs Tammy Hewitt -v- Dean House Limited (In Administration)  
2401106/2017 Mr Robson Hickman -v- Dean House Limited (In Administration)  
2401107/2017 Mrs Cheryl Hicks -v- Dean House Limited (In Administration)  
2401108/2017 Mr Kevin Hill -v- Dean House Limited (In Administration)  
2401109/2017 Miss Vanessa Holden -v- Dean House Limited (In Administration)  
2401110/2017 Miss Hinnaa Hussain -v- Dean House Limited (In Administration)  
2401111/2017 Miss Fiona Irvine -v- Dean House Limited (In Administration)  
2401112/2017 Miss Sherene Jean Charles -v- Dean House Limited (In Administration)  
2401113/2017 Ms Rosslyn Johannessen -v- Dean House Limited (In Administration)  
2401114/2017 Ms Eunice Johnson -v- Dean House Limited (In Administration)  
2401115/2017 Mr Martin Johnson -v- Dean House Limited (In Administration)  
2401116/2017 Ms Melanie Kane -v- Dean House Limited (In Administration)  
2401117/2017 Ms Toni Keddie -v- Dean House Limited (In Administration)  
2401118/2017 Ms Sarah Kershaw -v- Dean House Limited (In Administration)  
2401119/2017 Miss Jodie Kiernan -v- Dean House Limited (In Administration)  
2401120/2017 Mr Abdul Koddus -v- Dean House Limited (In Administration)  
2401121/2017 Mr Michael Leigh -v- Dean House Limited (In Administration)

**Case No: 2401083/2017  
and others (see schedule)**

2401122/2017 Mrs Angela Loft -v- Dean House Limited (In Administration)  
2401123/2017 Mrs Linda Lowe -v- Dean House Limited (In Administration)  
2401124/2017 Miss Karen Lund -v- Dean House Limited (In Administration)  
2401125/2017 Mr Guido MacAri -v- Dean House Limited (In Administration)  
2401126/2017 Mr Dariusz MacIejczak -v- Dean House Limited (In Administration)  
2401127/2017 Mr Tomasz MacIejczak -v- Dean House Limited (In Administration)  
2401128/2017 Mr Raymond Madden -v- Dean House Limited (In Administration)  
2401129/2017 Ms Karen Maddock -v- Dean House Limited (In Administration)  
2401130/2017 Mr Stephen Markowicz -v- Dean House Limited (In Administration)  
2401131/2017 Ms Rosina Martin -v- Dean House Limited (In Administration)  
2401132/2017 Mr Darren Matthews -v- Dean House Limited (In Administration)  
2401133/2017 Mr Gary Matthews -v- Dean House Limited (In Administration)  
2401134/2017 Mr Darren Metcalfe -v- Dean House Limited (In Administration)  
2401135/2017 Mr Antony Mills -v- Dean House Limited (In Administration)  
2401136/2017 Mr Ermano Miniero -v- Dean House Limited (In Administration)  
2401137/2017 Mr David Minta -v- Dean House Limited (In Administration)  
2401138/2017 Mr Peter Moran -v- Dean House Limited (In Administration)  
2401139/2017 Ms Chantelle Morris -v- Dean House Limited (In Administration)  
2401140/2017 Mr Andrew Morson -v- Dean House Limited (In Administration)  
2401141/2017 Mr Neil O Donoghue -v- Dean House Limited (In Administration)  
2401142/2017 Miss Samantha O Hara -v- Dean House Limited (In Administration)  
2401143/2017 Miss Jacqueline Painter -v- Dean House Limited (In Administration)  
2401144/2017 Ms Nicola Parry -v- Dean House Limited (In Administration)  
2401145/2017 Mr Andrew Pass -v- Dean House Limited (In Administration)  
2401146/2017 Mrs Mehzabin Patel -v- Dean House Limited (In Administration)  
2401147/2017 Mrs Sharnam Patel -v- Dean House Limited (In Administration)  
2401148/2017 Mrs Sumiya Patel -v- Dean House Limited (In Administration)  
2401149/2017 Mr Christopher Pinkney -v- Dean House Limited (In Administration)  
2401150/2017 Mr Wayne Pinkney -v- Dean House Limited (In Administration)  
2401151/2017 Mrs Jennifer Poole -v- Dean House Limited (In Administration)  
2401152/2017 Ms Sharon Povlo -v- Dean House Limited (In Administration)  
2401153/2017 Miss Bethany Quimby -v- Dean House Limited (In Administration)  
2401154/2017 Mr Dennis Quimby -v- Dean House Limited (In Administration)  
2401155/2017 Mr Jamie Quinlan -v- Dean House Limited (In Administration)  
2401156/2017 Miss Rose Risden -v- Dean House Limited (In Administration)  
2401157/2017 Mr Alex Ross -v- Dean House Limited (In Administration)  
2401158/2017 Mr Daniel Rothwell -v- Dean House Limited (In Administration)  
2401159/2017 Mr Barry Rourke -v- Dean House Limited (In Administration)  
2401160/2017 Miss Victoria Rutland -v- Dean House Limited (In Administration)  
2401161/2017 Mr Gerald Sadler -v- Dean House Limited (In Administration)  
2401162/2017 Mrs Anna Sanders -v- Dean House Limited (In Administration)  
2401163/2017 Mr Joseph Scott -v- Dean House Limited (In Administration)  
2401164/2017 Mr Steven Seale -v- Dean House Limited (In Administration)  
2401165/2017 Ms Scarlett Shalby -v- Dean House Limited (In Administration)  
2401166/2017 Ms Joanne Sharp -v- Dean House Limited (In Administration)  
2401167/2017 Mr Stephen Sheil -v- Dean House Limited (In Administration)  
2401168/2017 Miss Louise Simon -v- Dean House Limited (In Administration)  
2401169/2017 Mr Stewart Smethurst -v- Dean House Limited (In Administration)  
2401170/2017 Mrs Karen Smith -v- Dean House Limited (In Administration)  
2401171/2017 Miss Michelle Smith -v- Dean House Limited (In Administration)  
2401172/2017 Mr Lee Sturges -v- Dean House Limited (In Administration)

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2401173/2017 Ms Julia Szocze -v- Dean House Limited (In Administration)  
2401174/2017 Mr Donald Teat -v- Dean House Limited (In Administration)  
2401175/2017 Mr Kevin Thewlis -v- Dean House Limited (In Administration)  
2401176/2017 Miss Trishalana Thompson -v- Dean House Limited (In Administration)  
2401177/2017 Mr Michael Tokaryk -v- Dean House Limited (In Administration)  
2401178/2017 Mrs Shehnaz Valli -v- Dean House Limited (In Administration)  
2401179/2017 Mr Anthony Vickers -v- Dean House Limited (In Administration)  
2401180/2017 Mr Grant Warburton -v- Dean House Limited (In Administration)  
2401181/2017 Mrs Amanda Watson -v- Dean House Limited (In Administration)  
2401182/2017 Mrs Susan White -v- Dean House Limited (In Administration)  
2401183/2017 Mr James Whyld -v- Dean House Limited (In Administration)  
2401184/2017 Mrs Sarah Whyld -v- Dean House Limited (In Administration)  
2401185/2017 Ms Delores Williams -v- Dean House Limited (In Administration)  
2401186/2017 Mr James Wilson -v- Dean House Limited (In Administration)  
2401187/2017 Mr Garry Wilson -v- Dean House Limited (In Administration)  
2401188/2017 Miss Sophie Withers -v- Dean House Limited (In Administration)  
2401189/2017 Miss Louise Wood -v- Dean House Limited (In Administration)  
2401190/2017 Mrs Rebecca Woodfine -v- Dean House Limited (In Administration)  
2401191/2017 Mr Ryan Wright -v- Dean House Limited (In Administration)

**Claimant: Mrs T Fletcher & others (see attached schedule)**

**Respondent: Dean House Limited (In Administration)**

**ANNEX TO THE JUDGMENT  
(PROTECTIVE AWARDS)**

Recoupment of Jobseeker's Allowance, income-related Employment and Support Allowance  
and Income Support

The following particulars are given pursuant to the Employment Protection (Recoupment of Jobseekers Allowance and Income Support) Regulations 1996, SI 1996 No 2349, Regulation 5(2)(b), SI 2010 No 2429 Reg.5.

The respondent is under a duty to give the Secretary of State the following information in writing: (a) the name, address and National Insurance number of every employee to whom the protective award relates; and (b) the date of termination (or proposed termination) of the employment of each such employee.

That information shall be given within 10 days, commencing on the day on which the Tribunal announced its judgment at the hearing. If the Tribunal did not announce its judgment at the hearing, the information shall be given within the period of 10 days, commencing on the day on which the relevant judgment was sent to the parties. In any case in which it is not reasonably practicable for the respondent to do so within those times, then the information shall be given as soon as reasonably practicable thereafter.

No part of the remuneration due to an employee under the protective award is payable until either (a) the Secretary of State has served a notice (called a Recoupment Notice) on the respondent to pay the whole or part thereof to the Secretary of State or (b) the Secretary of State has notified the respondent in writing that no such notice is to be served.

This is without prejudice to the right of an employee to present a complaint to an Employment Tribunal of the employer's failure to pay remuneration under a protective award.

If the Secretary of State has served a Recoupment Notice on the respondent, the sum claimed in the Recoupment Notice in relation to each employee will be whichever is the less of:

- (i) the amount (less any tax or social security contributions which fall to be deducted therefrom by the employer) accrued due to the employee in respect of so much of the protected period as falls before the date on which the Secretary of State receives from the employer the information referred to above; OR
- (ii) the amount paid by way of or paid as on account of Jobseeker's Allowance, income-related Employment and Support Allowance or Income Support to the

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and others (see schedule)**

employee for any period which coincides with any part of the protective period falling before the date described in (i) above.

The sum claimed in the Recoupment Notice will be payable forthwith to the Secretary of State. The balance of the remuneration under the protective award is then payable to the employee, subject to the deduction of any tax or social security contributions.

A Recoupment Notice must be served within the period of 21 days after the Secretary of State has received from the respondent the above-mentioned information required to be given by the respondent to the Secretary of State or as soon as practicable thereafter.

After paying the balance of the remuneration (less tax and social security contributions) to the employee, the respondent will not be further liable to the employee. However, the sum claimed in a Recoupment Notice is due from the respondent as a debt to the Secretary of State, whatever may have been paid to the employee, and regardless of any dispute between the employee and the Secretary of State as to the amount specified in the Recoupment Notice.