

Case number 1602516/2020



EMPLOYMENT TRIBUNALS

Claimant: Mr J Matthews

Respondent: R1 AL Realisations Limited (in Administration)
R2 The Secretary of State for Business Energy
and Industrial Strategy

CONSENT JUDGMENT

The terms of the Judgment by Consent are as follows:

1. The Claimant was employed by the First Respondent (the “**Respondent**”).
2. Robert Nicholas Lewis and Zelf Hussain were appointed as joint administrators of the Respondent on 23 March 2020 and Rachael Maria Wilkinson was appointed as a joint administrator of the Respondent on 17 April 2020. On 3 July 2020, Anthony John Wright and Paul Allen of FRP Advisory were appointed as additional administrators of the Respondent.
3. On 31 July 2020, the Claimant was dismissed by the Respondent by reason of redundancy. The parties agree that for the purposes of this Consent Judgment, the protected period in relation to the Claimant begins on their termination date, which is 31 July 2020.
4. The Claimant has raised a complaint pursuant to section 189 of The Trade Union and Labour Relations (Consolidation) Act 1992 (“**the Act**”) and is seeking a protective award in respect of failure to consult in accordance with s.188 and s.188A of the Act.
5. The Claimant was assigned to an establishment where 20 or more redundancies were proposed by their employer within a period of 90 days. The Respondent did not fully inform and consult with the Claimant in accordance with the provisions of s.188 and s.188A of the Act.
6. The Tribunal makes a protective award in favour of the Claimant for a protected period of 35 days, capped at the amount payable by the Redundancy Payments

Service (“RPS”) in accordance with the RPS’s own regulations and limits and subject to any deductions required by law.

7. There is no order requiring any party to pay or reimburse another party’s costs or fees. Each party shall bear their own costs and fees.
8. The Recoupment Regulations apply to this Judgment. For the avoidance of doubt, any recoupment notice does not apply to the Secretary of State for Business, Energy and Industrial Strategy.

NOTES

Useful information

1. All judgments 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.
2. You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here: <https://www.gov.uk/appeal-employment-appeal-tribunal>

Employment Judge Deeley

Date: 23 August 2021