

# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Bissell

**Respondents:** George Dyke Ltd ( in administration) (1)  
Secretary of State for Business Energy and Industrial  
Strategy (2)

## JUDGMENT

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

1. The claim was issued in the Midlands West Employment Tribunals on 13 May 2021. The respondents have failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made of the claim, or part of it, in accordance with rule 21 of the Rules of Procedure.
2. The claimant was employed by the first respondent and were among some 33 employees who were dismissed as redundant on 29 January 2020. The first respondent went into administration on 28 January 2020.
3. I am satisfied that it was not reasonably practicable for the claim to be presented within the period of three months and that it was presented within such further time as I consider reasonable.
4. I declare that the complaint under section 189 (1) (d) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the first respondent failed to comply with a requirement of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well-founded.
5. I make a protective award in respect of the claimant and order the first respondent to pay to the claimant remuneration for the protected period of 90 days beginning on 29 January 2020.
6. The Recoupment Regulations do not apply.

Employment Judge Woffenden  
18 February 2022