



EMPLOYMENT TRIBUNALS

Claimant: Mr R McNeil

Respondent: (1) Gold Crown Bakeries Ltd (in Creditors Voluntary Liquidation);
(2) The Secretary of State for Business Energy and Industrial Strategy.

Heard at: Leeds ET (by CVP)

On: 6 July 2023

Before: Employment Judge Armstrong

Representation

Claimant: In person

Respondents: (1) No attendance
(2) No attendance (having submitted representations under rule 42 ET rules of procedure)

JUDGMENT

The first respondent having failed to present a response to the claims in accordance with rule 16;

And the Administrator of the first respondent having been given notice of the claim;

And having considered the claimant's ET1 and oral evidence, and the ET3 presented by the second respondent:

1. For the avoidance of doubt, the Secretary of State for Business Energy and Industrial Strategy is added as a respondent to the claim.
2. The first respondent failed to comply with the requirements of section 188 and 188A of the Trade Union and Labour Relations (Consolidation) Act 1992.
3. It is declared that the claim for a protective award is well-founded.

4. A protective award is made in respect of the claimant who was employed by the respondent at their premises at 12 Wiltshire Road, Hull, East Yorkshire, HU4 6PA and who was dismissed as redundant on 29 November 2022.
5. The protected period begins on 29 November 2022 and is for a period of 90 days, it being just and equitable to make the maximum award because of the complete failure to comply with the statutory requirements for collective consultation.
6. The recoupment provisions do not apply, as the claimant did not claim any benefits during the protected period.

Employment Judge K Armstrong

Date 6 July 2023