



EMPLOYMENT TRIBUNALS

Claimants: Mr. R. Powley and Mr. W. Cakebread

First Respondent: WHP Facilities Limited (In Administration)

Rule 96 Party: The Secretary of State for Business and Trade

Heard at: Newcastle Civil and Family Courts and Tribunal Centre via
CVP

On 11 November 2024

Before: Employment Judge T.R. Smith

Representation

Claimants: Ms. N. Toner (solicitor)

Respondent: No attendance, although the rule 96 party had made written representations

Judgement

The complaints under section 189 of The Trade Union and Labour Relations (Consolidation) Act 1992 (TULCRA) of the two claimants named herein of a failure of the respondent to comply with the requirements of section 188 of the said act is well-founded. The tribunal awards each claimant a protective award. The protective period is from 04 December 2023 for a period of 90 days.

Employment Judge **T.R.Smith**

Date 11 November 2024

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.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at 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/>