



EMPLOYMENT TRIBUNALS

Claimant: Claire Grieg

Respondent: Broadbridge Heath Village Centre Social Club
(in its representative capacity for the management committee members)

Heard at: Croydon

On: 9 January 2025

Before: Employment Judge Liz Ord

Representation:

Claimant: In person (Assisted by Mr Nicholas Smith, a friend)
Respondent: Not attending

JUDGMENT

1. It is ordered that the name of the Broadbridge Heath Village Centre Social Club is used as a representative respondent on behalf of the members of the management committee at the relevant time.
2. The claim for redundancy payment is well-founded and succeeds.
3. The claimant is entitled to a redundancy payment in the gross sum of £7,019.04, and the respondent is ordered to pay this sum to the claimant.

REASONS

Background

1. The claimant started work at the social club on 1 September 2002 as a barmaid and worked there until she was made redundant on 31 December 2023.

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2. She was told about the redundancy on 26 November 2023. She asked about a redundancy payment and was told that the club would cease trading on 31 December 2023 and that it did not have the resources to pay staff redundancy payments. She was told she would receive her redundancy payment from the government.
3. After the social club closed the claimant had no further communication from the club. All the management committee members had resigned and she had no addresses for them.
4. The claimant contacted ACAS, who advised her to write to the club requesting her redundancy monies. She did so on 15 April 2024, but received no response. The club was no longer at the address she wrote to as it had ceased trading. The landlords of the premises were unable to help in any way.
5. The claimant contacted ACAS again and they advised her to bring a claim in the employment tribunal. The ACAS early conciliation certificate is dated 28 May 2024. The claimant presented her claim on 3 June 2024.
6. The claimant did not have the details of the management committee members. Therefore, she brought her claim against the social club itself. There has been no response to the claim.
7. The claimant has taken all reasonable steps to recover the redundancy payment from her former employer, but with no success.

Identity of the respondent

8. The respondent is an unincorporated association and therefore is not a legal entity. Whilst the members of the management committee at the relevant time are the correct respondents, the claimant does not know their details or how to contact them. In any event, as is usual with such committees, their liability is likely to be limited to a very small sum, probably in the region of £1, and therefore, taking action against them would be of little value.
9. Given this situation, and the fact the claimant intends to apply to the National Insurance Fund for her statutory redundancy pay, I gave permission for the action to be brought in the club's name as a representative respondent on behalf of the management committee members at the time.

Calculation

10. At the time of redundancy the claimant was aged 57 years and had worked for the respondent for over 21 years. Her average gross weekly pay was £250.68.
11. Using the on-line government calculator, the amount due to the claimant is £7,019.04. This is the sum she is entitled to as a statutory redundancy payment.

Employment Judge Liz Ord

Date 9 January 2025