

To All Non - Retained Employees of Tomlinson's Dairies Limited (In Administration)

Frequently Asked Questions Communication

Following the recent announcements this frequently asked questions document has been produced in an attempt to provide you with as much information in the time period available.

Questions?	Answers
What has happened to the company?	As you will be aware from recent communications from the Company, Tomlinson's has been experiencing some financial difficulty. The directors and senior management team have over recent weeks held a series of urgent negotiations with key customers, suppliers and funders in an attempt to save the Company. Those discussions have unfortunately been unsuccessful and the directors had no alternative but to file for Administration, and Mike Denny and Peter Dickens from PwC have been appointed Administrators.
What is an administrator?	An Administrator is an officer of the Court and is qualified to manage the affairs of a business when it is insolvent. It is their role to take control of a company's affairs when it is in financial difficulty and try to find a longer term solution for it. They will be responsible for working with management to review the operations of the company and try to secure a sale of some or all of the business. The Administrators act as agent of the company and without personal liability.
Why I was not retained in the Administration?	Your role is not one of those required to assist the Administrator for either the preservation of assets or whilst the Administrator reviews potential options.

I have been made redundant, who is going to pay my redundancy, notice pay, outstanding wages and holiday pay?

The Employment Rights Act 1996 provides that, on the insolvency of an employer, certain debts due to former employees may be payable, subject to statutory limits, from the National Insurance Fund. If you believe you that you are owed wages, redundancy or holiday pay from the Company, you should submit a claim to The Redundancy Payments Service, see section below headed "how do I make a claim for redundancy notice pay, outstanding wages and holiday payment"

How do I make a claim for redundancy, notice pay, outstanding wages and holiday payments?

The Administrators will issue letters to staff by post with details of how to make an online claim. If you have not received your letter by **21 October 2019**, please contact Amy Wood by email amy.wood@pwc.com or by phone 07483 362 045

To make a claim please visit **www.gov.uk/claim-redundancy**, and enter your claim reference number which will be on the letter you received.

All redundancy payments claims and enquiries are dealt with by the Redundancy Payments Office and not the Administrator. Any enquiries should be made to the **Redundancy Payments Enquiry Line**, on **0330 331 0020**

How will any outstanding wages and holiday pay be calculated?

Amy Wood and Jill Roberts from PwC are working with the Company with regard to details of employment service, payments that may be owed and any holiday arrears. Your entitlement will be calculated on a pro-rata basis from the Company's records.

It has been agreed that the Company will make payment for the arrears of wages due prior to the appointment of Administrators. For the avoidance of doubt;

- For the weekly paid employees this is for the period 7th October to 14th October, including overtime for the period of 7th October to 14th October, and
 - For the monthly paid "salaried" employees, this is for the period of 1st to 14th October and overtime from 23rd September to 14th October, and
 - For the monthly paid "hourly" employees, this is for the period 23rd September to 14th October.
-

Please note that the amount paid by the Redundancy Payments Service is capped at the statutory maximum of £525 per week and tax and national insurance deductions will apply.

If you need help please contact the RPS on **0330 331 0020** or the **employee helpline on uk_employees_tomlinsons@pwc.com**

What if I'm made redundant?

Because your employer is insolvent, it cannot pay you amounts that may be due to you if you're made redundant. There is a claims process which is administered by the Redundancy Payments Service and details of the process and the claim form will be provided to anyone affected by redundancy.

HR will be working with the Administrators to ensure that you are regularly updated with progress throughout the administration period. This may be through your line manager, your union representative or through email updates.

How would I calculate my statutory redundancy pay entitlement?

Your entitlements are based on both length of service and age.

The statutory weekly maximum is £525 and calculated as follows:

Age

Under 22	½ week per year's service
22-40	1 week per year's service
41 and over	1½ week's per year's service

Redundancy pay is capped at 20 years service and the maximum entitlement is 30 weeks. Redundancy payment is tax free.

How long would it be before I receive any money from the Redundancy Payments Service?

Once you have completed the online RP1 form, The Redundancy Payments Service will calculate amounts due directly from Company records. The Redundancy Payments Service aims to process and pay you within 3 to 6 weeks of receiving your claim.

Will there be any other support available?

A number of documents to support individuals in redundancy situations are available from Job Centre Plus. Please contact **Job Centre Plus 0800 055 6688** for further information.

If you are a member of the union then please contact your unusual union contact.

I have Company assets, what do I do?

If you are in possession of any Company property, we would ask that you arrange to return these. Please contact Company HR.

What about my Pension payments and other benefits?

A specialist pension team will be reviewing the company policies.
If you have any questions around your pensions please contact the providers.

Is there anywhere else that I can obtain assistance?

Contacts:
Information regarding the administration of the Company: www.pwc.co.uk/tomlinsonsdairies
Employee email inbox: uk_employees_tomlinsons@pwc.com
Employee helpline: 0113 289 4417
General queries, employment rights - www.gov.uk
Statutory Maternity Pay or Sick Pay – Statutory Payments Disputes 0191 225 5221
Claiming benefits, support or job search – Job Centre Plus 0800 055 6688
PAYE queries – HMRC 0845 300 0627
Tax Credit Helpline – HMRC 0345 300 3900
Redundancy Payments Service – 0330 3310020 or email redundancyclaims@insolvency.gsi.gov.uk
Money Advice Service – 0300 500 500 www.moneyadvice.org.uk

What about expenses that I'm owed?

We can't make a decision on expenses until we're clear on the value of all claims. Please submit all claims through the usual process as soon as practicably possible. We'll then make a decision and communicate this to you.

How would I make a claim for statutory Pay in Lieu of Notice?

The Redundancy Payments Service will contact you asking you to complete an additional online RP2 claim form. This is an automatic process and you will be contacted directly by the Redundancy Payments Service.

Will I get help to make a claim for what I am owed?

For any assistance on this process please contact :

redundancyclaims@insolvency.gsi.gov.uk

Telephone: **0330 331 0020 (select option 1)**. Opening hours are 9am to 5pm, Monday to Friday.

Website: **www.gov.uk/your-rights-if-your-employer-is-insolvent**

When will P45s be sent out?

Your P45 will be produced as soon as possible and sent to you at your home address.

Can I claim benefits straight away?

Please contact your local Department for Work and Pensions who will assist you in this matter.

The helpline for JobCentre Plus is 0800 055 6688.

What happens to any of my current benefits?

If you receive Tax Credits you will need to contact the HMRC helpline:

Telephone: 0345 300 3900

If you are in receipt of any state benefits, please contact JobCentre Plus on 0800 055 6688

Can I claim on a mortgage protection or loan protection insurance?

If you have an income protection policy which covers you in the event of redundancy, you should contact your policy provider and send your forms to Amy Wood by email amy.wood@pwc.com.

What do I do if I receive enquiries from the media?

Should anyone from the media contact you please do not answer any questions yourself.

Please be mindful when making comments over social media as these can often be misconstrued.

Michael Denny and Peter Dickens were appointed as Joint Administrators of Tomlinson's Dairies Limited on 14 October 2019 to manage its affairs, business and property as its agents and without personal liability. Michael Denny and Peter Dickens are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales

The joint administrators are bound by the Insolvency Code of Ethics which can be found at: <https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>.

The joint administrators may act as controllers of personal data as defined by the UK data protection law depending upon the specific processing activities undertaken. PricewaterhouseCoopers LLP may act as a processor on the instructions of the joint administrators. Personal data will be kept secure and processed only for matters relating to the joint administrators' appointment. Further details are available in the privacy statement on the PwC.co.uk website or by contacting the joint administrators.

.

