



## EMPLOYMENT TRIBUNALS

**Claimant**

**Mrs S Wood**

**Respondent**

**v Ashleigh Rose Studios Limited**

### PRELIMINARY HEARING

**Heard at: Watford**

**On: 4 April 2017**

**Before: Employment Judge R Lewis**

**Appearances:**

**For the Claimant:**

**Ms J Adeikyie (The claimant's daughter)**

**For the Respondent:**

**Mr V Ionnou ad Ms I Nemcova (Company officers)**

### JUDGMENT

The claimant's claims of failure to consult under the TUPE provisions are dismissed on withdrawal.

### ORDERS

1. No later than **5 May 2017** the parties are to send each other (whether separately or by simultaneous exchange) lists and copies of the following documents:
  - 1.1 The claimant is to send to the respondent copies of relevant bank statements and P60s. She may redact the bank statements so as to remove details of transactions, provided that the copies which she sends the respondent show the nature of the document (ie that it is a bank statement) and the relevant transactions. If the claimant redacts the served copies, she must bring un-redacted copies to the hearing on 27 July.
  - 1.2 The respondent is to send to the claimant the following:
    - 1.2.1 Records of pay paid to the claimant;
    - 1.2.2 Records, if any, to show that the respondent's previous owners pay system was, as asserted at this hearing, unreliably recorded;
    - 1.2.3 The claimant's clock records from May 2015 onwards;
    - 1.2.4 Any record, note or correspondence about employees or workers of the respondent or its predecessor covering the topics referred to in regulation 11 of the TUPE Regulations 2006.

- 2 The date for exchange of witness statements is amended to **4pm, 30 June 2017**.
- 3 If the parties fail to exchange or arrange exchange by then through reasonable cooperation, a party may serve statements unilaterally, in which case the other party will be debarred from relying on any witness statement save with permission of the tribunal, and may be confined to the contents of the claim form or response as the case may be.
- 4 The hearing date is the single day of **Thursday 27 July 2017**, starting at 10am on the first day when all issues are to be determined.
- 5 As the parties appear unlikely to agree a bundle, the claimant is to send the respondent a copy of her bundle by no later than **8 June**. The respondent is to send the claimant a copy of its bundle by no later than **22 June**.
- 6 The bundles must be legibly numbered and indexed. If a document appears in the claimant's bundle, there is no need to replicate it in the respondent's bundle.
- 7 Each party must bring to the hearing at least two additional copies of its bundle and three additional copies of its witness statements.
- 8 It is recorded for avoidance of doubt that the present judge sees no circumstances in which any extension or amendment will be granted to the above timetable.
- 9 Save as amended above, all existing case management orders remain in force.
- 10 The claimant's application for addition of Mr Ionnou as a second respondent is refused.

**CONSEQUENCES OF NON-COMPLIANCE**

1. Failure to comply with an order for disclosure may result on summary conviction in a fine of up to £1,000 being imposed upon a person in default under s.7(4) of the Employment Tribunals Act 1996.
2. The tribunal may also make a further order (an "unless order") providing that unless it is complied with, the claim or, as the case may be, the response shall be struck out on the date of non-compliance without further consideration of the proceedings or the need to give notice or hold a preliminary hearing or a hearing.
3. An order may be varied or revoked upon application by a person affected by the order or by a judge on his/her own initiative.

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**Employment Judge R Lewis**  
Sent to the parties on: 27/4/2017  
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For the Tribunal:  
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