



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Mrs S Kavanagh

and

Respondent

Aspirations Academy Trust

Preliminary Hearing held at Reading on: 20 March 2019

Appearances:

For the Claimant:

Did not attend and not represented

For the Respondent:

Ms T Barsam, counsel

Employment Judge:

Mr SG Vowles

RECONSIDERATION OF JUDGMENT

Under rules 70-73 of Schedule 1 to the Employment Tribunals (Constitution and Rules of procedure) Regulations 2013

1. At this preliminary hearing held on 20 March 2019 at 02:00pm the Claimant did not attend and was not represented. I announced the claim was struck out because it had not been actively pursued, the Claimant had failed to comply with the Tribunal's orders, and she had failed to attend this preliminary hearing without good cause.
2. After the hearing was concluded, but before I had signed the judgment, it was brought to my attention that the Claimant had been contacted by the Tribunal office by e-mail on 19 March 2019 and told that there was no Judge available at the listed time of 02:00pm and that the hearing would be brought forward to take place at 10:00am. The Claimant replied that she was unable to attend at 10:00am. In fact there was a Judge available and the hearing took place at 02:00pm. It is likely therefore that the failure to attend resulted from this miscommunication.
3. As the failure to attend the hearing was part of reason for the strike out of the claim, I consider that it is necessary in the interests of justice to reconsider, and revoke the strike out judgment.
4. The case therefore remains listed on 7 May 2019 (public preliminary hearing) and 2-10 September 2019 (full merits hearing).

5. At the one day hearing on 7 May 2019, in addition to the matters already listed to be considered, the Tribunal will also consider whether the claim should be made the subject of an unless order or struck out because it has not been actively pursued and the Claimant has failed to comply with the Tribunal's orders

Employment Judge Vowles

Date: 22 March 2019

Sent to the parties on:

25 March 2019

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For the Tribunals Office

Public Access to Employment Tribunal Judgments

The parties are informed that all judgments and reasons for judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the Claimant and Respondent.