



THE EMPLOYMENT TRIBUNAL

SITTING AT: SOUTHAMPTON

BEFORE: EMPLOYMENT JUDGE EMERTON (sitting alone)

BETWEEN:
Ms I Wilson

Claimant

AND

(1) Audagio Services Limited

(2) Bluebird Care Company Limited

Respondents

ON: 29 November 2019

APPEARANCES:

For the claimant: Mr P Wareing (Counsel)
For the first respondent: Mr L Hutchings (Solicitor)
For the second respondent: Mr R Bhatt (Counsel)

JUDGMENT AT PRELIMINARY HEARING

Employment Tribunal Rules of Procedure 2013 – Rules 70 and 34

1. The Rule 21 judgment against the second respondent (Bluebird Care Company Limited), sent to the parties 12 April 2019, is revoked upon reconsideration, under Rule 70.
2. The parties are agreed that the first respondent (Audagio Services Limited) was at all material times the claimant's employer and that the second respondent was wrongly included in the claim.
3. In the circumstances, the second respondent is removed from proceedings under Rule 34.
4. The claims proceed only against Audagio Services Limited, which shall henceforward be referred to as "the respondent".

Employment Judge Emerton
Date: 29 November 2019

Note

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.