



THE EMPLOYMENT TRIBUNAL

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE J BLACKWELL (sitting alone)

BETWEEN:

Claimant

MISS C SPAIN

AND

Respondent

THE FEDERATION OF ST JOHN'S CATHOLIC SCHOOL
AND
ST JAMES THE GREAT RC PRIMARY SCHOOL

ON: 27 November 2019

APPEARANCES:

For the Claimant: Mr A McKenzie

For the Respondent: Ms E Banton, Counsel

JUDGMENT

The Judgment of the Employment Tribunal is that:-

1. The case is adjourned to an entirely new Tribunal and Employment Judge sitting alone to be held at **Montague Court, 101 London Road, West Croydon CR0 2RF** on **8 and 9 June 2020**.
2. The Claimant's monetary claims set out at paragraph 9.2 of her claim form are not being pursued as separate monetary claims either as breaches of contract or unlawful deduction from wages and are therefore dismissed on withdrawal by the Claimant.

REASONS

1. It became plain for the following reasons that the case could not be completed in the one day allocated to it today. Those reasons are:-
 - a) Mr McKenzie was listed in two cases at the same time at this Tribunal;
 - b) That there was not an agreed bundle. The Respondents had prepared a bundle of some 230 pages and the Claimant had prepared a bundle of some 380 pages indicating that there were at least 150 pages that were not common. The Claimant's bundle had not been seen by the Respondents prior to the hearing.
 - c) The third reason was that the Claimant's witness statement was not cross-referenced to either bundle. I invited the parties to comment in those circumstances and which led to Mr McKenzie making a formal application to adjourn. This was not opposed by Ms Banton but she made it clear that an adjournment at this stage would bring forward a claim for costs pursuant to Rule 76 of the First Schedule of the Employment Tribunals Constitution and Rules of Procedure Regulations 2013. This is not a matter to be determined today because it is apparent that there may be fault on both sides.

In those circumstances, there was no alternative but to adjourn and happily the parties have agreed on a new listing date which is recorded above.

Employment Judge Blackwell

Date: 27 November 2019

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