



EMPLOYMENT TRIBUNALS

Claimant: Miss S Plange

Respondent: Symbol Family Support Services Ltd

Heard at: London South by CVP **On:** 16 April 2021

Before: Employment Judge Tsamados (sitting alone)

Representation

Claimant: Did not attend and was not represented

Respondent: Ms G Boorer, Counsel

This has been a remote hearing which was not objected to by the parties. The form of remote hearing was video by Cloud Video Platform (CVP). A face to face hearing was not held because it was not practical because of the Covid-19 virus.

JUDGMENT

- 1) The Claimant's Claim is dismissed;
- 2) The Respondent is awarded damages of £438.01 in respect of its Counterclaim, payable by the Claimant.

REASONS

1. This CVP hearing was due to start at 10 am. By that time, the Claimant had not attended and was not represented. My Clerk emailed the Claimant and telephoned her multiple times on two telephone numbers she had previously provided but received no response.
2. I commenced the hearing at 10.45 am. The Claimant was still not present or represented at the hearing and had not contacted the Employment Tribunal.
3. Rule 47 of schedule 1 of the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 states as follows:

"If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party's absence."

4. Given that the Claimant has the burden of proving her Claim, has not attended and has not contacted the Tribunal to explain her lack of attendance or responded to attempts to contact her, I have decided that it was appropriate to dismiss her Claim.
5. With regard to the Respondent's Counterclaim, the Claimant has not presented a Response to this despite it being served on her by letter dated 14 January 2020. As a result, the Claimant would only have been entitled to participate in this element of the hearing to the extent I permitted. Having considered the documents before me, I find that the Counterclaim is made out and so I award the Respondent the amount it seeks from the Claimant in the sum of £438.01.

Employment Judge Tsamados
Date: 16 April 2021