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EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4102271/2020

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Preliminary Hearing Held by Cloud Video Platform (CVP) on 19 July 2021

Employment Judge M Sangster

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Mr K Thornton

**Claimant
Not present
and not represented**

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Royal Mail Group Limited

**Respondent
Represented by:
Ms McKenna
Solicitor**

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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The Judgment of the Tribunal is that the claim should be dismissed as a result of the claimant's failure to attend or be represented on the first day of the hearing scheduled for 19-21 July 2021, in accordance with Rule 47 of the Employment Tribunals Rules of Procedure 2013.

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REASONS

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1. The claimant submitted a claim to the Tribunal on 21 April 2020. The final hearing was set down for 19-21 July 2021 inclusive. The claimant did not attend and was not represented on 19 July 2021, the first day of the hearing.
2. On enquiry it transpired that there has been no contact from the claimant to the Tribunal, or to the respondent's representative, from August 2020 to date.

He has not responded to any emails sent to him since then. Emails are not however being returned as undelivered.

3. The mobile number stated on the claim form is now not recognised. This has been the case for several months.

5 4. The claimant ought to have been aware of the date of the hearing as a result of the following:

a. Date listing stencils sent to the parties on 2 February 2021;

b. The notice of hearing sent to parties on 5 March 2021;

10 c. Email correspondence from the respondent's representative to the claimant dated 8, 9, 11 & 15 June 2021, in relation to arrangements for the final hearing;

15 d. The email from the respondent's representative to the Tribunal dated 17 June 2021, which was copied to the claimant, requesting that the claim be struck out, which confirmed that the full hearing was scheduled for 19-21 July 2021;

e. Email correspondence from the Tribunal to the claimant dated 25 June 2021, requesting his comments on the application for strike out (to which no response was received from the claimant);

20 f. The email from the respondent's representative to the Tribunal dated 2 July 2021, which was copied to the claimant, requesting that their application be granted and that the full hearing was scheduled for 19-21 July 2021;

25 g. Email correspondence dated 8, 14, 16 & 19 July 2021 from the clerk to the Tribunal seeking to arrange a CVP test, in advance of the final hearing, and providing connection details for the final hearing. All of which confirmed the dates for the final hearing; and

h. The Tribunal's email dated Friday 16 July 2021, refusing the respondent's strike out application and confirming that the claim will proceed to a hearing on Monday (19 July 2021).

5. In considering the all the information available to the Tribunal as outlined
5 above, and having determined that further enquiries as to the reasons for the claimant's failure to attend were not practicable, the Tribunal decided to dismiss the claim, in accordance with Rule 47 of the Employment Tribunals Rules of Procedure 2013.

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Employment Judge: Mel Sangster
Date of Judgment: 19 July 2021
Entered in register: 26 July 2021
15 and copied to parties