



# THE EMPLOYMENT TRIBUNALS

**Claimant:** A Headteacher

**Respondents:** (1) Essex County Council  
(2) The Governors of a primary school

## NOTICE OF CORRECTION EMPLOYMENT TRIBUNALS RULES OF PROCEDURE 2013

Under the provisions of Rule 69 I hereby correct the clerical mistake(s) in the Judgment herein sent to the parties on 11 October 2021 by adding the following paragraph:

A new paragraph 1A at the start of the judgment to state

On 18 February 2021 Employment Judge O'Brien issued a Restricted Reporting Order under rule 50(3) (d) of the Employment Tribunal Rules of Procedure and Section 11 of the Employment Tribunals Act 1996. He stated:

*"This case involves an allegation of sexual misconduct. Pursuant to section 11 of the Employment Tribunals Act 1996 and rules 50(1) and (3)(d) of the Employment Tribunals Rules of Procedure 2013, THIS ORDER PROHIBITS the publication in Great Britain, in respect of the above proceedings, of identifying matter in a written publication available to the public, or its inclusion in a relevant programme for reception in Great Britain. 'Identifying matter' in relation to a person means 'any matter likely to lead members of the public to identify him as a person affected by, or as the person making, the allegation'. The following persons may not be so identified: The Claimant. Any of the pupils of Primary School.*

*The Order remains in force until both liability and remedy have been determined in the proceedings unless revoked earlier. This order has been made without having heard from any interested parties, and its continuation will be considered at the next listed hearing.*

*The publication of any identifying matter or its inclusion in a relevant programme is a criminal offence. Any person guilty of such an offence shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.*

**I consider that it is appropriate to continue EJ O'Brian's order until the remedy hearing. Whilst I have concluded that no sexual misconduct took place the allegations concerned young children. My judgment contains details of the Children's private lives. In order to protect those children it is necessary and proportionate to extend the order made under rule 50. At the remedy hearing the parties and/or any media organisation may make further representations about whether the order should be continued and if so for how long and in what terms. I have anonymised the judgment to give effect to this order.**

Signed - Employment Judge of the Tribunal

Dated: 1 November 2021