



EMPLOYMENT TRIBUNALS

Claimant: Miss D Howden

Respondent: DN Colleges Group

HELD in Sheffield

ON: 22 March 2022

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimant: No attendance or representation

Respondent: Mr N Lancaster (Head of HR)

JUDGMENT AT PRELIMINARY HEARING

UPON the Tribunal finding that the claimant has:

1. Failed to attend or be represented at the case management hearing held on 25 November 2021.
2. Failed to comply with paragraphs 5, 6 and 7 of the Order made by the Employment Tribunal at the case management hearing held on 25 November 2021.
3. Failed to comply with the directions referred to in paragraph 2 of these recitals as directed in the Tribunal's letter of 7 February 2022 (which letter warned the claimant of the consequences of non-compliance).
4. Failed to attend or be represented at today's hearing.

AND UPON the Tribunal having directed on 17 March 2022 that this matter remained listed for hearing today and the Tribunal having given no further directions upon listing and UPON the Tribunal having made enquiries of the claimant today about the reasons for her absence and UPON the Tribunal considering all of the information available it:

The Judgment of the Employment Tribunal is that:

1. It cannot be said that the claimant's claims have no reasonable prospect of success. Accordingly, the claimant's claims are not struck out pursuant to the Tribunal's power in Rule 37(1)(a) of schedule 1 to the *Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013*.

2. The claims are struck out pursuant to rule 37(1)(c) for non-compliance with the Tribunal's Orders made upon 25 November 2021 and 7 February 2022.
3. The claims are struck out pursuant to rule 37(1)(d) upon the basis that they have not been actively pursued by the claimant.

Employment Judge Brain

Date: 29 March 2022