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EMPLOYMENT TRIBUNALS (SCOTLAND)

**Case No: 4102720/2020**

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Hearing Held in Edinburgh by Cloud Video Platform (CVP) on 3 May 2022

Employment Judge Murphy

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**Ms S Shotton**

Claimant  
Not present and  
not represented

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Avocet Faculties Ltd (in administration)

**Respondent**  
Not **present** and  
not represented

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**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

The Judgment of the Employment Tribunal is that the claim for compensation for unfair dismissal is dismissed.

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REASONS

1. The claimant failed to attend or be represented at the hearing. The respondent company is in administration and the administrators had provided notice that they did not propose to attend or defend the proceedings.
- 5 2. It was ascertained through enquiries that a Notice of Hearing was sent to the claimant by email on 30 March 2022. The claimant replied to the notice on that date and confirmed she intended to proceed with the hearing which was scheduled for 10 am on 3 May 2022. Subsequently, the Tribunal Clerk sent emails to the claimant on 19 and 29 April 2022 regarding the arrangements  
10 for the hearing and the conduct of a Cloud Video Platform (CVP) test. The start time was amended to 9.45 am. No reply was received. The Clerk has checked the email address to which correspondence including the Notice of Hearing has been sent. The Clerk sent the CVP joining details on 29 April 2022. He also tried to call the claimant on that date left a voicemail seeking to  
15 arrange a CVP test. On the date of the hearing, the Clerk attempted to telephone the claimant on two further occasions. The hearing was scheduled to begin at 9.45 am. He called at 09.45 and at 10.19 and left two voicemails. The claimant did not return the calls.
- 20 3. Although the claimant originally signaled an intention to proceed in her email of 30 March 2022, no communication has been received from her since, despite the various attempts by the Tribunal to contact her. I waited until 10.20 am in the Cloud Video meeting room but the claimant did not join. Having considered all information available in relation to the notice provided of the hearing and the absence of communication received from the claimant  
25 regarding her lack of attendance, as well as the respondent company's status in administration, I dismissed the claimant's claim for compensation for unfair dismissal pursuant to Rule 47 of the Employment Tribunals Rules of Procedure 2013.
- 30 4. The claimant may apply for reconsideration of this judgment if she believes it to be necessary in the interests of justice within 14 days of the date it is sent to the parties. Rules 71 - 72 of the Employment Tribunal Rules of Procedure

2013 set out the requirements for any such application and the process that will be followed. On reconsideration, the decision to dismiss the claim for compensation for unfair dismissal may be confirmed, varied or revoked. If it is revoked, it may be taken again.

10      **Employment Judge:      L Murphy**  
         **Date of Judgment:      03 May 2022**  
         **Entered in register:      06 May 2022**  
         **and copied to parties**