



THE EMPLOYMENT TRIBUNAL

Claimant Miss O Esho

Respondent DWP

JUDGMENT

The claimant's application dated 14 November 2022 for reconsideration of the strike out judgment, sent to the parties on 11 November 2022, is refused.

REASONS

1. By a judgment dated 9 November 2022, the claimant's claim that the respondent had made an unlawful deduction from her wages was struck out on the grounds that she had not complied with the Tribunal's case management order of 18 August 2022 and had not actively pursued the claim.
2. The claimant had been represented by a Ms Babalola Lateefat, who I believe was a lay representative. Neither Ms Lateefat or the claimant attended the case management hearing at which the said orders were made but a copy of the order was sent to Ms Lateefat at the address on file.
3. The claim was presented on 16 November 2021. Having gone through the Tribunal file, there is no record of the Ms Lateefat having communicated with the Tribunal since presentation of the claim. Correspondence has been all one way. Further, the only direct communication from the claimant was when she made her reconsideration application.
4. The basis of the claimant's application is that she did not receive the Tribunal's correspondence as it was being sent to her at the respondent's address and she had not worked there for over a year. The Tribunal's records show this not to be the case. All correspondence has been sent to Ms Lateefat's email account.
5. Having chosen to be represented in these proceedings, the onus was on the claimant to actively liaise with Ms Lateefat in relation to her case.
6. By an email dated 14 November 2022, the respondent informed the Tribunal that it received notification from Ms Lateefat on 25 October 2022 that she was no longer representing the claimant. That being the case, it was even more important that the claimant actively engaged with the Tribunal in relation to her claim.
7. In light of the above, there is no reasonable prospect of the original decision being varied or revoked. The application is therefore refused.

Case Number: 2305527/2021

Employment Judge Balogun
Date: 17 November 2022