



EMPLOYMENT TRIBUNALS

Claimant

Miss Lisa Howard

Respondent

B & Q Plc

v

Heard at: Huntingdon

On: 6 February 2023

Before: Employment Judge M Ord

Appearances

For the Claimants: Did not attend and was not represented

For the Respondent: Mr W Shepherd, Solicitor

JUDGMENT

The Claimant's claim is struck out. The Claimant has not complied with the Orders of the Tribunal dated 23 October 2022, the claim has not been actively pursued and the Claimant has not attended today's Hearing.

REASONS

1. By a claim form dated 5 May 2022, the Claimant brought complaints against the Respondent for unfair dismissal and disability discrimination.
2. The Claimant had been employed by the Respondent from 15 April 2015 until 21 February 2022, as a Customer Advisor.
3. On 23 October 2022, Employment Judge M Warren issued a Case Management Order requiring the Claimant to provide further information to the Respondent and the Tribunal, regarding her claim, in particular details of what the Claimant says happened to her because of disability (the Claimant had brought complaint of direct discrimination, a failure to make reasonable adjustments and harassment); information regarding the physical and mental impairments on which she relied; details of the medical evidence she relied upon; and an Impact Statement.
4. On 6 December 2022, Employment Judge M Warren issued a warning that he was considering striking out the Claimant's claim because she had not complied with the Tribunal's Orders of 23 October 2022 and the claim was not being actively pursued.

5. No reply to date has been received from the Claimant.
6. The Respondent, properly, contacted the Employment Tribunal first on 16 December 2022, questioning whether the Claimant had complied with the Strike Out Warning and if not, asking that the claim be struck out. Then again on 30 January 2023, pursuing an answer to that earlier email and reminding the Tribunal of the Hearing listed for today, 6 February 2023.
7. Those emails do not appear to have received any judicial attention and were brought to my notice this morning.
8. In the absence of any compliance by the Claimant with the Orders of Employment Judge M Warren, without any response from the Claimant to the Strike Out Warning and without any attendance from the Claimant today, I am satisfied that she has defaulted in compliance with the Orders, has not responded to the Strike Out Warning and is not actively pursuing her case.
9. In those circumstances, the Claimant's claim is struck out.

16 February 2023

Employment Judge M Ord

Sent to the parties on: 16/3/2023

NG
For the Tribunal Office