



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

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**Case No: 4105654/2022 (P)**

**Held at Aberdeen on 7 June 2023**

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**Employment Judge N M Hosie**

**Miss N Manson**

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**Claimant  
Represented by  
Mr J Godfrey,  
CAB**

**Paul Mulvaney**

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**Respondent  
In Person**

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### **JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

The Judgment of the Tribunal is that the respondent shall pay to the claimant the  
30 sum of Three Thousand, Two Hundred Pounds (£3,200) in full and final settlement  
of her claims for redundancy payment, notice and the respondent's failure to provide  
her with a written statement of her terms and conditions of employment.

### **REASONS**

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1. This case has something of a history. The claim form was submitted on 18  
October 2022. The respondent submitted a response form on 9 November  
2022 in which he intimated his intention to defend the claim.

**E.T. Z4 (WR)**

2. A final hearing was for 11 January 2023. However, that hearing was discharged at the request of the respondent, due to his ill-health.

3. A further final hearing was fixed for 22 March 2023.

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4. By e-mail on 20 March 2023, the respondent advised the Tribunal that he was endeavouring to settle the claim. The parties advised that settlement terms had been agreed and the hearing was discharged to enable the settlement to be effected through ACAS.

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5. By e-mail on 13 April, the claimant's representative advised that a settlement had been agreed at £3,200 but that the respondent had not returned the signed ACAS COT3 form. Following reminders from the Tribunal, on 1 May 2023 the claimant's representative advised that although agreement had been reached the respondent had still not signed the COT3 form, "despite several messages to the Conciliator at ACAS".

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6. By e-mail on 18 May 2023, the Tribunal advised the claimant's representative that Employment Judge Hosie had reviewed the file and that if the claimant was still prepared to accept the sum of £3,200 in settlement of her claim, he would consider issuing a Judgment to that effect. By e-mail on 22 May 2023, the claimant's representative advised that the claimant was still willing to settle the claim at £3,200 and that she would be agreeable to a Judgment being issued to that effect.

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7. By e-mail on 26 May 2023 the Tribunal advised the respondent as follows:- *"I refer to the above case. Employment Judge Hosie has reviewed the file. The claimant's representative has advised that agreement was reached that you would pay £3,200 in settlement of the claim but you have not signed the ACAS COT3 Agreement, "despite several messages to the Conciliator at ACAS". The claimant has advised that she is still willing to accept that sum by way of settlement.*

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*Accordingly, Judge Hosie is minded to issue a Judgment and unless you write to the Tribunal with a satisfactory reason why he should not do so, he will issue a Judgment in 7 days' time."*

- 5      8.      No response was received from the respondent. Accordingly, I decided to issue a Judgment to reflect the settlement which had been agreed between the parties.

10      **Employment Judge: N M Hosie**  
**Date of Judgement: 14 June 2023**  
**Date sent to Parties: 14 June 2023**