



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 8000287/2023**

**Natalie Watson**

**Claimant**

**Midlothian Council**

**Respondent**

# **JUDGMENT**

Part of the claim, namely the complaint of disability related harassment, is struck out with the consent of the claimant under rule 37 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 on the ground that it has no reasonable prospect of success in terms of rule 37(1)(a).

# **REASONS**

1. At a preliminary hearing for case management on 16 August 2023 Employment Judge Whitcombe reached the provisional view that the claimant's complaint of disability related harassment had no reasonable prospect of success. The Employment Judge asked the Employment Tribunal administration to send a formal letter warning of the possibility that the harassment claim would be struck out for that reason.
2. On 17 August 2023 the Tribunal sent that formal letter which gave the claimant an opportunity to give written reasons by 24 August 2023 or to request a hearing to consider why that part of the claim should not be struck out.
3. The claimant confirmed in her correspondence dated 26 August 2023 that she agreed with Employment Judge Whitcombe's proposal to strike out that part of

the claim.

<b>Employment Judge:</b>	<b>M Whitcombe</b>
<b>Date of Judgment:</b>	<b>30 August 2023</b>
<b>Entered in register: and copied to parties</b>	<b>05 September 2023</b>