



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 116447/2008

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Held in Chambers on 19 February 2024

Employment Judge F Eccles

Ms F McKelvie

Claimant

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North Ayrshire Council

Respondent

RECONSIDERATION JUDGMENT OF THE EMPLOYMENT TRIBUNAL

15 The Judgment of the Employment Tribunal is, having reconsidered the Judgment dated 9 January 2024 striking out the claim, to revoke the Judgment dated 9 January 2024 and allow the claim to proceed.

REASONS

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1. On 9 January 2024 the Tribunal struck out the claim on the grounds that it had not been actively pursued in terms of Rule 37(1) (d) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013.
 2. The claimant applied for reconsideration of the Judgment dated 9 January 2024 on the grounds that she did not receive the warning letter from the Tribunal that her claim would be struck out if she did not provide written reasons why her claim should not be struck out or request a hearing. The
25 application for reconsideration was not opposed by the respondent.

3. In all the circumstances, the Tribunal is persuaded that on reconsideration, the Judgment dated 9 January 2024 should be revoked and the claim allowed to proceed.

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F Eccles

Employment Judge

19 February 2024

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Date

Date sent to parties

21 February 2024

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