



EMPLOYMENT TRIBUNALS

Claimant: J Penalva
Respondent: Marlborough College
Heard at: Bristol (by video)
On: 30 April 2024
Before: Employment Judge Ferguson

Representation

Claimant: None
Respondent: Mr A Shellum, counsel

JUDGMENT

It is the judgment of the Tribunal that:

1. The claim is dismissed pursuant to Rule 47 of the Employment Tribunals Rules of Procedure.
2. Had the claim not been dismissed pursuant to Rule 47 it would in any event have been struck out pursuant to Rule 37 on the grounds that:
 - a. It has no reasonable prospect of success, and
 - b. The manner in which the proceedings have been conducted by the Claimant has been scandalous.

Employment Judge Ferguson
Date: 30 April 2024

Judgment sent to the Parties on 02 May 2024

For the Tribunal Office

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>