



# EMPLOYMENT TRIBUNALS

## Claimant

Mrs L Heffelman

v

## Respondent

Medway PC Limited t/a:  
Locumgnc

**Heard at:** Watford Employment Tribunal (in person)  
**On:** 14 May 2024  
**Before:** Employment Judge French (sitting alone)

## Appearances

**For the Claimant:** no attendance

**For the Respondent:** Mr M Yussuf, Director

## JUDGMENT

1. The claim is dismissed pursuant to rule 47 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013.

## REASONS

1. The Tribunal provide these written reasons on their own initiative. Oral reasons were given at the hearing however the claimant was not present to hear them, and the Tribunal consider it important that the claimant know the reasons why the claim was dismissed.
2. Rule 47 of the Employment Tribunal Rules of Procedure 2013 states as follows:

*If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party's absence.*

3. The claimant did not attend the hearing on 14 May 2024 and did not provide any explanation to the Tribunal or the respondent for her non-attendance. The Tribunal checked the Tribunal's correspondence inbox, and nothing had been received from the claimant. The Tribunal also telephoned the

- telephone number on file for the claimant on two occasions which was not answered.
4. The Tribunal gave additional time for the claimant to attend and by 10.30am the claimant had not done so; the hearing having been scheduled to start at 10am.
  5. There was a previous hearing on 19 March 2024 at which the claimant did not attend and did not provide any explanation for the non-attendance. That hearing had been adjourned to today to afford the claimant an opportunity to attend and for other directions to be complied with which are not repeated here.
  6. The claim has a long and protracted history, and the previous hearing was listed by cloud video platform. The link to that hearing was sent to the email address held for the claimant however it was returned as undelivered. As such notice of the hearing scheduled for 14 May 2024 was sent to the claimant's email address and postal address on record. That hearing was also listed to be in person rather than video.
  7. The Tribunal note that it has not received any correspondence from the claimant to advise of a change of email or postal address. The Tribunal cannot be sure if the claimant has received the hearing notice, however absence any updated address from the claimant, has no other way of advising the claimant of this.
  8. The Tribunal were satisfied that notice of the hearing had been properly served to both the email and postal addresses held for the claimant as advised on her ET1.
  9. The respondent confirmed that the claimant had not engaged with them since issuing her claim and considered that the claim was not being actively pursued. The respondent had attended on a second occasion and wished for the matter to be resolved.
  10. The Tribunal note that the claimant has made no contact with the Tribunal since April 2023.
  11. In all of the circumstances I therefore dismissed the claim owing to the claimant's non-attendance and pursuant to rule 47 above.

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Employment Judge French

Date: 14 May 2024

Sent to the parties on: 27 June 2024

For the Tribunal Office

Note

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.

**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/>