



EMPLOYMENT TRIBUNALS

Claimant: Mr A Wynn

Respondent: Coventry College

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Heard at: Midlands West Employment Tribunal (by CVP)

On: 30 August 2024

Before: Employment Judge Kelly (sitting alone)

Appearances

For the claimant: No attendance

For the respondent: Miss Daniel, Head of Human Resources

JUDGMENT

The judgment of the Tribunal is that:

The claimant's claim is dismissed on his non-attendance.

REASONS

1. The claimant has not attended this hearing.
2. Mindful of rule 47 of the Employment Tribunal Rules of Procedure 2013, we have considered whether we should dismiss the claim or proceed in the absence of the claimant. We have also considered if we should adjourn the Hearing.
3. On 27 Aug 2024, the Tribunal asked the parties to supply a bundle for the hearing. A Helen Wynn (HW), who was not on the record as representing the claimant, replied that the claimant was not available as he was out of the country for one week. On the same date, the Tribunal replied that the hearing remained listed for 30 Aug 2024 and that, if the claimant wished to ask for a postponement, he should do so giving reasons. HW responded that the

claimant was out of the country on a birthday trip and the hearing date has changed multiple times.

4. No application for postponement was made.
5. The hearing date has been changed by the Tribunal twice. The parties had ample notice of the final hearing date.
6. As no application to postpone was made by the claimant, we did not consider it appropriate to adjourn the hearing. Even if an application to postpone had been made, we do not consider it would be in the interests of justice to postpone the hearing because the claimant had gone on holiday and sought a postponement only two days prior to the hearing.
7. We therefore considered whether we should dismiss the claim or proceed in the absence of the claimant. We considered whether it would be possible to proceed in the absence of the claimant. The only information about the claim on the claim form was that it was a claim for 'other payments', that it was about 'Contact not being payed to what it should be' and that the remedy sought was 'My contact to be payed'. We assume that the word 'contact' should read 'contract'. However, no details were given of the short fall in contractual payment which the claimant alleged or to what it related. On the claim form, he had not ticked the boxes for notice pay, holiday pay, or arrears of pay.
8. Having perused the correspondence on the Tribunal file, we could see no explanation from the claimant of his claim. The respondent said that they had received no such explanation. It had provided payslips showing salary payments to the claimant for his period of employment.
9. Given that we do not understand what the claimant's claim is about, we do not consider that we can proceed with it and, therefore, we dismiss the claim.

30 August 2024

Employment Judge Kelly

Note

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.