



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case Number: 8002179/2024

Hearing held by video in Glasgow at 1000 on 24 February 2025

Employment Judge M Whitcombe

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Mr S Donaldson

Claimant
Did not attend

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Lillium Homes Limited

Respondent
No Response filed
Did not attend

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JUDGMENT

The claim is dismissed in its entirety under rule 47 of the Employment Tribunal Procedure Rules 2024.

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REASONS

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1. This claim is currently undefended because the respondent failed to file a response by the applicable deadline. Although the respondent made a very late application to postpone this hearing, it has still not filed a response and/or a request for an extension of time in which to do so. However, the claimant's own failure to attend the hearing now makes that irrelevant.

2. The Tribunal correspondence file does not reveal any potential explanation for the claimant's absence, still less a valid one. Certainly he has not applied for a postponement or suggested that he could not attend today. The original notice of preliminary hearing, the amended notice of final hearing and the correspondence from Legal Officer Whelehan chasing the claimant's compliance with directions all appear to have been correctly addressed. There are signs of a recent lack of engagement on the claimant's part. The claimant did not participate in the mandatory test of his equipment and connection prior to this video hearing and he has not complied with the directions given for preparation either. For example, there is neither a file of documentary evidence nor a schedule of loss. In accordance with standard practice, after the scheduled start time the hearing clerk tried to contact the claimant by telephone using the details held on file. There was an audible ringing tone but the claimant did not pick up the call.

3. In those circumstances, I decided that it was consistent with the overriding objective to exercise the discretionary power given to me by rule 47 to dismiss the claim. There is no valid and sufficient explanation for the claimant's failure to attend in accordance with the notice of hearing.

Employment Judge M Whitcombe

25 February 2025

**Entered in register
and copied to parties**