



EMPLOYMENT TRIBUNALS

Claimant: Paige Parker

Respondent: Savills Management Resources Ltd

RECORD OF A PRELIMINARY HEARING

Heard at: East London Hearing Centre (by CVP)

On: 22 January 2025

Before: Employment Judge C Lewis

Appearances

For the Claimant: Did not attend

For the Respondent: Mr P Singh - Solicitor

JUDGMENT

The decision of the Tribunal is that:

- 1. The Respondent's name is amended to Savills Management Resources Ltd.***
- 2. The claim is dismissed under Rule 47 of the Employment Tribunal Procedure Rules 2024. The Claimant failed to attend the hearing.***

REASONS

1. The Claimant was employed by the Respondent as a Front of House Executive from 7 November 2022 until 2 February 2024. Early conciliation started on 27 March 2024 and ended on 8 May 2024. The claim form was presented on 9 May 2024.
2. The claim is about disability discrimination. The Respondent entered a response under its correct name Savill Management Resources Ltd. It denies the claims.

3. On 24 July 2024 the parties were sent a notice of a preliminary hearing by video (CVP) listed at 2pm on 31 October 2024 for case management purposes. On 25 July 2023 the parties were sent standard directions to be complied with in advance of the preliminary hearing. The Respondent was to prepare a draft list of issues and the Claimant to prepare a schedule of loss. The notice of hearing and case management orders were both sent by email. On 5 August 2024 the Claimant replied to the Tribunal's 25 July 2024 email and informed the tribunal that she had moved to Manchester. She did not provide a new address.
4. The Respondent's representative had prepared a preliminary hearing bundle and completed a case management agenda (again identifying the correct name for the respondent) and sent these to the Tribunal on 30 October 2024 by email copying in the Claimant. Neither the Claimant nor the Respondent attended the hearing on 31 October 2024. The Respondent's representative sent an email to the Tribunal explaining that she was having difficulty logging in and ask that someone from the Tribunal office contact her.
5. Employment Judge Drake who was the Judge due to hear the preliminary hearing made the following order which was sent to the parties by email on 31 October 2024.

"EJ Drake who was scheduled to take this PHR has directed me to advise that he is satisfied that the Respondent's representative was aware of the hearing but could not attend due to technical difficulties. The explanation provided in their email timed at 14.08 is accepted. No such similar message has been forthcoming from the Claimant, who also did not attend. However, there is no doubt that she was aware of the hearing date as she had responded to the Notice of hearing. Yet, she has not offered any explanation for non-attendance. I am adjourning this PHR to a date to be advised but requiring the Claimant to show cause at that hearing why her claims should not be stuck out for non-attendance today and to support this with a statement giving such explanation both to the Respondent's rep and to the Tribunal on or before 28 November 2024"

The Claimant was also informed that she was required to provide the Tribunal with her new address.

6. The Claimant failed to comply with Employment Judge Drake's order that she provide a statement by 28 November 2024 explaining why she did not attend the hearing on 31 October 2024.
7. On 9 December 2024 the Respondent's representative wrote to the Tribunal, copying in the Claimant, pointing out that the Claimant had not complied with EJ Drake's order and applied for Unless Order. An unless order was not made by the Tribunal.
8. A further preliminary hearing was listed to take place today at 10 am by video(CVP) for case management. The Claimant did not attend. The Claimant has not provided the Tribunal with a phone number nor has she provided her new address. There has been no communication from the Claimant since her email on 5 August 2024. I asked my clerk to send an email to the Claimant informing her that the hearing was due to start and sending the link to the CVP hearing room.

The hearing was delayed until 10.15 am, meanwhile Mr Singh who represents the Respondent was waiting in the CVP waiting room.

9. I started the hearing at 10.15 am. and explained to Mr Singh that the Claimant had not attended and that the delay was while my clerk had been attempting to contact her. I explained that I was considering whether to give the Claimant another chance and re-list this hearing on another day as an open hearing to consider strike out. He asked me to dismiss the claim under Rule 47 for non-attendance instead. He submitted that the Claimant has in effect had three strikes or chances already: the first hearing, Employment Judge Drake's order, and this hearing being the third. She has failed to attend on two occasions, has failed to comply with the Tribunal's orders and has not responded to his firm's emails either. He submitted that another hearing would only put his client to further expense with the real likelihood of the Claimant failing to attend again or comply with any orders in the meantime.
10. I considered whether I should dismiss the claim under Rule 47 and decided that on balance I should. I accepted Mr Singh's submissions that it would be proportionate to do so. I do so having taken into account the overriding objective (Rule 3) and having considered that if the Claimant has an explanation for her non-attendance and wishes to pursue her claim she can apply for reconsideration – although the time limit for doing so is strict, that is, within 14 days of the date this decision is sent out. (see Rule 69 of the Employment Tribunal Procedure Rules 2024).

RECONSIDERATION OF JUDGMENT

11. The Claimant is to note the following:

You may ask the Employment Tribunal to **reconsider** this judgment.

If you want the decision to be **reconsidered**, (varied or revoked), you **must** provide an explanation for your failure to attend the hearing on 22 January 2025. You should also explain:

- why you did not attend the hearing on 31 October 2024; **and**
- why you did not write to the Tribunal and the Respondent by 28 November 2024 with a witness statement to explain why you did not attend the hearing on 31 October, as required by Employment Judge Drake in the email sent by the Tribunal on 31 October 2024.

You will need to explain why reconsideration is necessary in the interests of justice. You should also confirm that your application has been copied to the Respondent.

Useful information

1. All judgments (apart from judgments under Rule 52) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the Claimants and Respondents.

2. There is information about Employment Tribunal procedures, including case management and preparation, compensation for injury to feelings, and pension loss, here:
<https://www.judiciary.uk/publications/employment-rules-and-legislation-practice-directions/>
3. The Employment Tribunals Rules of Procedure are here:
<https://www.gov.uk/government/publications/employment-tribunal-procedure-rules>
4. You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here:
<https://www.gov.uk/appeal-employment-appeal-tribunal>

Employment Judge C Lewis

Dated: 22 January 2025

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/>