



EMPLOYMENT TRIBUNALS

Claimant: Mr Jason Parsons
Respondent: Milton Keynes College
Heard at: Bury St Edmunds (in private; by CVP)
On: 17 July 2026
Before: Employment Judge Graham

Appearances

For the Claimant: No attendance
For the Respondent: Ms H McNeny, Lawyer

JUDGMENT

1. The claim is dismissed in full.

REASONS

1. The Claimant filed his ET1 claim form on 3 June 2025 and makes complaints of disability discrimination. An ET3 Response denying the claim was filed by the Respondent on 9 July 2025.
2. On 11 October 2025 today's private preliminary hearing for case management was listed to take place.
3. The Claimant was also directed to provide disclosure of his medical records; he was directed to produce a disability impact statement; and he was also directed to provide additional information concerning his claim for reasonable adjustments and harassment.
4. The Claimant's approach appears to have been one of partial and delayed compliance with Tribunal directions. The additional information has not been received; only partial medical records were disclosed; and the disability impact statement was not produced.
5. The day before today's hearing the Claimant disclosed a number of documents and provided a 63 page witness statement, however it did not set out the information the Claimant was directed to provide, and it gave the

impression of being produced with the assistance of AI, which of itself is not a problem provided it contains the information that it should and is not unduly long. In this case the statement was far too long and didn't contain the information the Claimant was directed to provide.

6. I started the hearing after 10am as the Claimant had not joined. I asked the administrative staff to check the Tribunal email inbox to see if anything had been received from the Claimant to explain his non-attendance however nothing was received.
7. I discussed the chronology briefly with Ms McNeny who told me about the pattern of non-compliance and delayed compliance from the Claimant. I also noted the Respondent's application of 14 January 2026 for a strike out of the claim (or an unless order in the alternative) due to the Claimant's failure to comply with directions and to actively pursue the claim.
8. I further noted the Claimant's objections the same day, and I further noted the Respondent's renewed application for an unless order of 17 March 2026, and the strike out warning from Employment Judge Tynan of 17 April 2026 as well as the extension of time granted by that judge for the Claimant's compliance. That extension of time was granted until 1 May 2026 and it remains the case the Claimant has still not complied with it.

Law

9. Rule 3 of the Employment Tribunal Rules of Procedure 2024 sets out the Overriding Objective of the Tribunal as follows:

"Overriding objective

3.—(1) The overriding objective of these Rules is to enable the Tribunal to deal with cases fairly and justly.

(2) Dealing with a case fairly and justly includes, so far as practicable—

(a) ensuring that the parties are on an equal footing

(b) dealing with cases in ways which are proportionate to the complexity and importance of the issues,

(c) avoiding unnecessary formality and seeking flexibility in the proceedings,

(d) avoiding delay, so far as compatible with proper consideration of the issues, and

(e) saving expense.

(3) The Tribunal must seek to give effect to the overriding objective when it—

(a) exercises any power under these Rules, or

(b) interprets any rule or practice direction.

(4) The parties and their representatives must—

(a) assist the Tribunal to further the overriding objective, and

(b) co-operate generally with each other and with the Tribunal.”

10. Rule 47 provides:

“Non-attendance

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

11. In ***Arrow Nominees Inc v Blackledge*** [2000] 2 BCLC 167 the court held that a fair trial *“is a trial conducted without undue expenditure of time and; and with a proper regard to the demands of other litigants upon the finite resources of the court.”* [55]

Conclusion and decision

12. I am satisfied that the Claimant was aware of today’s hearing as both the Tribunal and the Respondent had written to him.

13. I could not proceed in the absence of the Claimant as I needed to hear from him about the complaints he is seeking to bring, and also to discuss his ongoing non-compliance with Tribunal directions. I was unable to do either of those things in the absence of the Claimant.

14. I did not have the power to strike out the claim today.

15. I formed the view that a postponement or a strike out warning would be inappropriate given the pattern of non-compliance to date notwithstanding the extension and leniency provided to the Claimant by the Tribunal. Moreover, this hearing has been listed for some time (since 11 October 2025), and Tribunal hearing time today has been wasted.

16. I did consider combining a postponement with an unless order under Rule 39, however I reached the same conclusion that this would unlikely have any result as the Claimant has already been granted an extension and been issued with a strike out warning but he has nevertheless failed to attend today, and the Tribunal directions remain not complied with.

17. The Respondent has already been put to expenditure of time and cost without any meaningful progress being made on the matter. It would not be fair to the Respondent to continue to incur wasted legal costs.

18. I was also mindful of the cost to the Tribunal of listing hearings which make no progress, as well as the impact upon other Tribunal users waiting patiently in the queue for their hearings.

19. The backlog of Employment Tribunal claims right now is considerable, and when parties fail to attend their hearings, this adds to that problem.
20. I reminded myself that a fair trial is one which is conducted without undue expenditure of time and costs, and which considers the needs of other Tribunal users.
21. In such circumstances I considered that the appropriate way forward was to dismiss the claim under Rule 47 due to the Claimant's non-attendance and the inability to proceed with the hearing in his absence. This appeared to me to be in furtherance of the Overriding Objective of the Tribunal to deal with cases in a manner which is fair and just to both parties and to avoid the further unnecessary expenditure of time and costs for all concerned.
22. The claim is dismissed in full under Rule 47. All future hearings in this matter are cancelled and vacated.

Approved by:

Employment Judge Graham
17 July 2026

JUDGMENT SENT TO THE PARTIES ON
13 August 2026

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FOR THE TRIBUNAL OFFICE

Notes

Full reasons were given orally at the hearing. Written full reasons will not be provided unless requested by any party at the hearing, or by a written request received by the Tribunal within 14 days of the sending of the written record of the decision.

All judgments (apart from judgments under Rule 51) and any written full 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 claimant(s) and respondent(s).

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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: www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/