



EMPLOYMENT TRIBUNALS

Claimant
Mr L Akrasi

Respondent
DPDgroup UK Limited

Heard at: Watford (CVP)

On: 24 August 2026

Before: Employment Judge S Moore (sitting alone)

Appearances

For the Claimant: No appearance

For the Respondent: Mr C Adjei, counsel

JUDGMENT

- (1) The Respondent's name is changed to DPDgroup UK Limited.
- (2) The claim is struck out on the grounds it has not been actively pursued pursuant to rule 38(1)(d) of the Employment Tribunal Procedure Rules 2024.
- (3) The Claimant has 28 days from the date on which this judgment is sent to him to make any representations as to why a costs order should not be made against him and to provide the Tribunal with the evidence of his ability to pay any such costs order.

REASONS

- 1 The Claimant says he worked as a courier driver from 1 October 2024 until 11 October 2024.
- 2 ACAS Early Conciliation took place between the Claimant and DPD between 11 December 2024 and 22 January 2025.
- 3 The claim form was presented against DPD on 22 February 2025 making complaints of unfair dismissal, dismissal for whistleblowing and unlawful deduction of wages. The Claimant said he was falsely accused of damaging

two vans and his pay was withheld and that when he complained he was removed from the driver roster.

- 4 In its response the Respondent submitted the complaints had no reasonable prospect of success and should be struck out or a deposit order made pursuant to rules 38 and 40 of the Employment Tribunal Procedure Rules 2024 ("the rules). The Respondent said the Claimant was employed by GDG Group Limited, a franchise of the Respondent, and that the Claimant was merely registered on the Respondent's system as an approved driver for GDG Group Limited. Further that the Claimant was de-registered as an approved driver following information he was the subject of a police investigation for threatening behaviour and damaging the property of GDG Group Limited.
- 5 A Public Preliminary Hearing (PPH) was set down for 24 August 2026 (today) to determine whether the Claimant was an employee or a worker of the Respondent for the purposes of his complaint.
- 6 By order of 31 October 2025 the Claimant was ordered to provide the Respondent with a signed witness statement, setting out all the facts on which he relied in support of his contention he was an employee or worker of DPD and copies of any relevant documents, no later than 35 days before the PPH.
- 7 By letter dated 31 October 2025 the Tribunal informed the Claimant that if he wished to join another respondent to the claim he should make that application as soon as possible.
- 8 The Claimant did not make any such application.
- 9 On 7 November 2025 the Tribunal informed the Claimant that it was proposing to change the name of the Respondent to DPDgroup UK Limited, and the Claimant should respond by 14 November 2025 if he had any objection to that proposal.
- 10 The Claimant did not respond.
- 11 The Claimant should have complied with the Tribunal's orders by 21 July 2026.
- 12 On 22 July 2026 the Respondent's solicitors emailed the Claimant to say that if he did not reply to the email the Respondent would apply to strike out the claim on the grounds that it was not being actively pursued.
- 13 The Claimant did not reply to the email.
- 14 On 27 July 2026 the Respondent made an application for the claim to be struck out as it was not being actively pursued and/or for non-compliance with an order of the Tribunal pursuant to rules 38(1)(d) and/or 38(1)(c). In this respect the Claimant had not complied with the Tribunal's orders or had any contact with the Respondent. That application was copied to the Claimant.
- 15 The Claimant did not attend today's hearing or give any reason for his non-attendance.
- 16 The hearing was adjourned until 10.30am by which time the Claimant had still made no contact with the Tribunal.
- 17 At the resumed hearing I considered it appropriate to strike out the claim on the grounds it has not been actively pursued pursuant to rule 38(1)(d). The

Claimant has made no contact with the Tribunal or the Respondent since he lodged his claim form and has failed to respond to any communication from the Respondent or the Tribunal and/or to the orders of the Tribunal of 31 October 2025. I considered the Claimant had been given a reasonable opportunity to make representations pursuant to rule 38(2) since he had the opportunity to respond to the Respondent's application of 27 July 2026 either in writing or by attending the hearing today.

- 18 The Respondent subsequently made an application for costs in the sum of £9,454.
- 19 I was shown emails sent to the Claimant on 4 February 2026 and 3 June 2026 and a costs schedule.
- 20 In the email of 4 February 2026 the Respondent's solicitors explained to the Claimant in some detail why it said his claim had no reasonable prospect of success, stating that it had incurred costs of £2,965 to date and anticipated that by the end of the Preliminary Hearing its total costs would be in the region of £9,000, which it would seek to claim from the Claimant. It invited the Claimant to withdraw his claim by 31 March 2026, in which event, the Respondent would not make any application for costs.
- 21 The Claimant did not respond to that email.
- 22 In an email of 3 June 2026 the Respondent's solicitors stated that it had intended to give the Claimant until 31 May 2026 to withdraw his claim, and that in view of the confusion it would give him until 30 June 2026 to do so.
- 23 The Claimant did not respond to that email either.
- 24 I stated I was minded to make a costs order against the Claimant on the basis of rule 74(2)(a), namely that the way he has conducted proceedings has been unreasonable. However for reasons of fairness I would give him 28 days from the date on which this judgment is sent to him to make any representations as to why a costs order should not be made and also to provide the Tribunal with the evidence of his ability to pay any such costs order.

Approved By:

Employment Judge S Moore

Date:

24 August 2026

Sent to the parties on:

20 September 2026

For the Tribunal:

.....