EMPLOYMENT TRIBUNALS

Heard at: London South

On: 2 November 2026, 10am

Claimant: Ms C Ferlin

Respondent: La Salle Education Limited

Before: Employment Judge Ramsden

Representation:

Claimant In person

Respondent Non-attending

JUDGMENT AND REASONS

Employment Tribunal Procedure Rules 2024 – Rule 22

1. The Claimant worked for the Respondent from 3 April 2023 to 30 November 2024.
2. After a period of ACAS Early Conciliation that began on 19 December 2024 and ended on 30 January 2025, the Claimant presented a claim to the London South Employment Tribunal by a Claim Form on 20 February 2025. In her Claim Form, the Claimant brought a complaint of wrongful dismissal, i.e., that she is owed notice pay.
3. The Tribunal served Notice of Claim, and Notice of a Final Hearing, on the Respondent at its then registered address on 21 February 2025, stipulating that:
   a) If the Respondent wished to defend the Claim, it needed to file its Response by no later than 21 March 2025; and
   b) The Final Hearing in this matter would take place on 12 June 2025.
4. No Response was received from the Respondent on the expiry of the time limit in Rule 17 of the Employment Tribunal Procedure Rules 2024 (the **ET Rules**).
5. On 3 June 2025, Peninsula Group Limited wrote to the Tribunal to inform the Tribunal that Peninsula had been appointed to represent the Respondent.

6. On the day listed for the Final Hearing (12 June 2025), the Respondent applied for an extension of time to present a Response to the Claim, attaching an ET3 Form and Grounds of Resistance. The Tribunal, in a decision by EJ Buckley, granted that extension of time.

7. On 17 August 2025, the Claimant applied for reconsideration of the Tribunal's decision to extend time, and on 14 November 2025 EJ Buckley wrote to the Parties proposing to reconsider the decision to extend time.

8. EJ Buckley, considering written representations received from each of the Parties, revoked her decision to extend time in a judgment dated 8 January 2026. EJ Buckley determined that:

    a) The decision as to whether to extend time for the Respondent to present a Response; and

    b) If the decision is to extend time, a judgment on the merits of the Claim,

    would be considered by a different judge on a subsequent date.

9. Also on 8 January 2026, EJ Buckley made various Orders for preparatory steps to be taken ahead of the Final Hearing – namely, Orders for disclosure, bundle preparation and exchange of witness statements.

10. On 16 February 2026, the Tribunal wrote to the Parties listing this hearing as the Final Hearing of the Claim.

11. Following non-compliance with some of those Orders, EJ McLaren made an Unless Order on 2 July 2026 that, if the Respondent did not provide to the Claimant by list and copy all documents not already disclosed by it, the Response would stand as dismissed without further Order.

12. The Respondent did send a list or documents to the Claimant by that date, and the Claimant wrote and told the Tribunal that on 3 August 2026.

13. The Tribunal wrote to the Parties on 26 August 2026, informing them that the Unless Order made on 2 July 2026 had not been complied with by 30 July 2026, and that:

    a) The whole Response was dismissed; and

    b) The Respondent has a long history of delay and late production of documents.

14. In this hearing, the Claimant attended, but the Respondent did not. The Respondent was previously corresponding with the Tribunal, and its representative, Peninsula, remains on record. The Respondent and Peninsula would have understood that it is the Respondent's responsibility to inform the Tribunal if the Respondent's contact details had changed. The Tribunal sent notice of this hearing to the Parties (in the Respondent's case, via Peninsula) on 16 February 2026. Peninsula wrote to the Tribunal subsequent to that date (on 23 March 2026) in respect of this case, noting in that email that this hearing was

listed. The Employment Judge was therefore satisfied that the Respondent and its representative knew that this hearing was taking place.

15. In this hearing, the Employment Judge has decided that:

    a) While, by the time of the Unless Order made on 2 July 2026 there was no Response that had been accepted by the Tribunal, the effect of the Unless Order was to reject the Respondent's application for an extension of time to present the Response it attempted to present on 12 June 2025;

    b) In the alternative, if the Unless Order was ineffective because there was no Response in existence at that time, the decision of EJ Ramsden in this hearing was to reject the Respondent's application for an extension of time;

    c) Although the Respondent was not in attendance, the hearing could proceed pursuant to Rule 47 of the ET Rules, because there was sufficient material before the Tribunal to enable the Claim to proceed; and

    d) In the circumstances, pursuant to Rule 22(2) of the ET Rules, a determination can properly be made of the Claim against the Respondent on the available material, and finds that:

        (i) The complaint of wrongful dismissal succeeds; and

        (ii) The Respondent is Ordered to pay the Claimant compensation for the unpaid portion of her notice period (being 19 to 30 November 2024 inclusive) in the sum of **£1,785.72 gross** (being the difference between the Claimant's normal monthly gross salary of £4,166.67 and the sum that was paid to her in respect of November 2024, being £2,380.95 gross).

16. The Claimant must account to HMRC for any sums owed by her in respect of any payment received by her pursuant to this judgment.

Employment Judge Ramsden

Date 2 November 2026

JUDGMENT SENT TO THE PARTIES ON

4 November 2026

For the Tribunal Office

P Wing

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https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/