



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 8000346/2023

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Held in Glasgow on 7 December 2023

Employment Judge Russell Bradley

Mr Richard Ward

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Claimant

No appearance and
No representation

Glasgow City Council

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Respondent

Represented by:
Ms A McFarlane -
Solicitor

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Judgment of the Tribunal is to dismiss the claims in terms of Rule 47 of the Employment Tribunals Rules of Procedure 2013.

REASONS

1. On 19 September 2023 at the first preliminary hearing in this case the Tribunal
25 ordered a further case management preliminary hearing to be in person on
31 October. The claimant attended on 19 September by telephone. The
purpose of the October hearing being in person was to accommodate the
claimant. Its purpose included the need for him to clarify certain aspects of his
case.
- 30 2. The claimant did not attend nor was he represented at the hearing on 31
October. The Note following it fixed today's hearing. It made clear that **"it is
important for the claimant to attend the next hearing. If he fails to do so,
it may lead to the claim being struck out."**
3. The claimant did not attend this hearing. At about 10.10am on my direction
35 the clerk telephoned the claimant using the number provided on his ET1 form.

The clerk advised that an automated voice advised that the number may no longer be in use.

4. Ms McFarlane had appeared at the previous two hearings. She advised that prior to the October hearing, the claimant had emailed the respondent using an alternative email address. On 31 October she had emailed him to; advise him of the date and time of this hearing; and to advise him to notify the tribunal of his alternative email address should it be in use by him. From my review of the file, the claimant had not done so. Ms McFarlane was also able to advise that on 13 November the claimant had emailed the respondent using the email address shown on the ET1 form. I was thus confident that email correspondence to him at that address from the tribunal (including the Note from 31 October and the Notice of Hearing for today) had been sent to an address used by the claimant. I was thus confident that he had had notice of this hearing both from the tribunal file, and also from Ms McFarlane's notice to him of it.
5. I had regard to Rule 47. In my view it was more likely than not that the claimant was aware; of the date and time of this hearing; and of the possibility that his claims would be struck out if he did not attend today. Such enquiries as were possible were made of the claimant today. Standing the terms of the Note from 31 October and the claimant's unexplained absence today, I dismissed the claim under Rule 47.

Employment Judge: R Bradley
Date of Judgment: 8 December 2023
Entered in register: 12 December 2023
and copied to parties