



EMPLOYMENT TRIBUNALS

Claimant: Ms L Regan

Respondents: (1) The Governing Body of Hillocks Primary and Nursery School
(2) Nottinghamshire County Council

PRELIMINARY HEARING

Heard at: Midlands (East) (by CVP; in public)

On: 27 April 2021

Before: Employment Judge Camp

Appearances

For the claimant: Ms E Misra, counsel

For the first respondent: no appearance (the first respondent no longer exists)

For the second respondent: Mr C Baran, counsel

JUDGMENT

- (1) The claimant's application for reconsideration under rule 13 of the rejection of the claim against the first respondent in case number 2603564/2020 is refused because the application was made outside the 14 day time limit and it would be contrary to the overriding objective to extend time.
- (2) In light of (1), there is no unfair dismissal complaint before the Tribunal; at the time of presentation of the claim form in case number 2603564/2020, any claim had to be made against the first respondent and the second respondent was merely an additional party in accordance with the Education (Modification of Enactments Relating to Employment) Order 2003.
- (3) The claimant's application to amend case number 2603564/2020 so as to put an unfair dismissal complaint before the Tribunal is refused.
- (4) In light of (1), (2) and (3), case number 2603564/2020 has no reasonable prospects of success and is struck out on that basis.

- (5) By consent:
- a. it is recorded that (in accordance with paragraph 13 of Schedule 1 of the Academies Act 2010) all complaints made against the first respondent in case number 2602555/2020 are now being made against the second respondent, without there needing to be any formal amendment of the claim;
 - b. the claim against the first respondent in case number 2602555/2020 is dismissed, on the basis that the first respondent no longer exists.
- (6) In summary, the only claim still before the Tribunal is the disability discrimination claim made against the second respondent in case number 2602555/2020.
- (7) The second respondent's application for the costs of this hearing is refused.
- (8) Reasons were given orally at the hearing. Written reasons for (1) to (6) have been requested and will be provided in due course. Written reasons for (7) will not be provided unless they are asked for by a written request presented by either party within 14 days of the sending of the written record of the decision.

EMPLOYMENT JUDGE CAMP

28 April 2021