



EMPLOYMENT TRIBUNALS

Mr R Flower

East Midlands Ambulance

Claimant

Respondent

Heard: In chambers

On: 2 April 2024

Before:

Employment Judge JM Wade

The judgment sent to the parties on 2 April 2024 is varied as follows.

JUDGMENT ON RECONSIDERATION

1. The claimant's complaints of unfair dismissal, arrears of pay and other payments are dismissed on their withdrawal.

REASONS

1. A Judgment dismissing the claimant's claims in the Leeds Tribunal was sent to the parties on 2 April 2024. This followed **two** emails in quick succession being referred to me concerning a hearing listed at 2pm. Those emails were referred to me in the morning, and the second appeared to contain a withdrawal of the claimant's Leeds claim wholesale. I settled the judgment that morning in terms which recorded a withdrawal, but did not give Judgment because it appeared the claimant wished also to continue a claim in the East Midlands Tribunal.
2. After I had settled that judgment a third email on behalf of the claimant was sent to the Tribunal seeking to clarify the earlier emails. I had not seen that email because 1) it was not referred to me; and 2) it was not on the digital file.
3. On 21 June the parties wrote a joint letter seeking directions to transfer the case to Nottingham and progress the claim there. In the Employment Tribunals, Regional Judges decide transfer requests and that matter will be decided by the Regional Judge.

4. In the mean time and of my own motion I am persuaded having read the letter of 21 June, that it is in the interests of justice, given that the matter is one of consent, to vary the previous judgment. It is not apt for a certificate of correction because it arises out of changed circumstances which were not before me at the time, namely clarification of earlier correspondence about withdrawal which was no doubt sent in haste.
5. It may be helpful for the parties to note that whether particular correspondence is before an Employment Judge at the time relevant decisions are made is by no means certain. Several letters being sent when one clear letter would suffice does not help the overriding objective: staff resources in the Employment Tribunals have been greatly reduced while the technology does not yet add correspondence to files.

Employment Judge JM Wade

16 August 2024