



EMPLOYMENT TRIBUNALS

Claimant

Ms. H. Kalaya

Respondent

v Wimbledon Broadway Specsavers
Limited (1)
Mr. A Kemp (2)
Miss Jayasena (3)
Ms Yates (4)
Specsavers Optical Group (5)
Mr Sandiford (6)
Mrs. Mann (7)
Miss Kashmiri-Ali (8)
Ms Desai (9)
Mr. Perkins (10)
Mrs Perkins (11)

PRELIMINARY HEARING

Heard at: London South Croydon

On: 19 April 2017

Before: Employment Judge Sage

Appearances

For the Claimant: In person

For the Respondent: Mr. Pipkin Solicitor

JUDGMENT

1. The claims against the 5th 10th and 11th Respondent are dismissed.
2. *The hearing is listed for a further three hour preliminary hearing as further detailed below.*

REASONS

[Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.]

CASE MANAGEMENT SUMMARY

Listing the hearing

1. After all the matters set out below had been discussed, we agreed that the hearing in this claim would be completed within 3 hours. It has been listed at London South Employment Tribunal, Croydon to start at 10am or so soon thereafter as possible on **18 August 2017**. The parties are to attend by 9.30 am. The time will be used as follows:-
 - 1.1. To identify the issues in the case;
 - 1.2. To deal with disclosure of documents;
 - 1.3. To arrange for the preparation of the bundles to be used at the hearing;
 - 1.4. To arrange for the preparation and exchange of witness statements;
 - 1.5. To decide on the length of the hearing this this case and the claim that the Claimant indicated that she intended to pursue of constructive unfair dismissal, which will be joined with this case once it is presented.

The complaint(s)

2. By a claim form presented on 20 February 2017, the claimant brought complaints of age, sex race, religion and belief and disability discrimination and detriment on the grounds of trade union membership. The Claimant has since the date of presentation of this claim has resigned and intends to pursue a claim for constructive unfair dismissal. To pursue this, a new ET1 must be presented. Once this is received, it will be consolidated with this claim. The respondent defended the claims.

The issues

3. The issues have yet to be determined. The Claimant has produced two lengthy documents providing a personal narrative of the events she wishes to rely upon but it is impossible to determine whether these incidents are evidence of race, sex disability, religion and belief or age. In order to help the Respondent and the Tribunal to understand how the Claimant puts her case, she is **ordered** to provide a brief spreadsheet by the **7 June 2017** which is to include the following information:
 - 3.1. The date of the incident;
 - 3.2. The names of the persons involved (and any witnesses)
 - 3.3. A brief summary of the incident and the page number of the 59 page narrative where these details can be found;
 - 3.4. Whether it is said to be an act of discrimination because of age, sex, race, religion and belief or disability (or if more than one please state all that apply).

Other matters

4. The Claimant was strongly urged to seek legal advice to assist her in the task of producing the above spreadsheet and with assistance in drafting the new claim form and with the case generally. The Claimant may find a Citizens Advice Centre

of help, there is also the Free Representation Unit and the Pro Bono Unit. It is also understood that firms such as Didlaw can offer limited free legal advice.

5. The Claimant is also advised that if she has any difficulty with completing the above task at paragraph 3, she should inform the Respondent (Mr Pipkin) and the Tribunal and more time may be given to complete the task.
6. I made the following case management orders by consent. [*Insofar as they are not made by consent, reasons were given at the time and are not now recorded.*]

CONSEQUENCES OF NON-COMPLIANCE

1. Failure to comply with an order for disclosure may result on summary conviction in a fine of up to £1,000 being imposed upon a person in default under s.7(4) of the Employment Tribunals Act 1996.
2. The Tribunal may also make a further order (an “unless order”) providing that unless it is complied with, the claim or, as the case may be, the response shall be struck out on the date of non-compliance without further consideration of the proceedings or the need to give notice or hold a preliminary hearing or a hearing.
3. An order may be varied or revoked upon application by a person affected by the order or by a judge on his/her own initiative.

Employment Judge Sage

19 April 2017