



EMPLOYMENT TRIBUNALS

Claimant

Miss XA Samson

v

Respondent

London North West University
Healthcare NHS Trust

Heard at: Bury St Edmunds (by CVP)

On: 25 November 2020

Before: Employment Judge KJ Palmer

Appearances

For the Claimant: In person.

For the Respondent: Miss C Ibbotson, Counsel.

COVID-19 Statement on behalf of Sir Ernest Ryder, Senior President of Tribunals.

This has been a remote hearing on the papers which has not been objected to by the parties. The form of remote hearing was by Cloud Video Platform (V). A face to face hearing was not held because it was not practicable during the current pandemic and all issues could be determined in a remote hearing on the papers.

JUDGMENT

1. The claimant's application to add a further claim of harassment based upon the respondent's letter to the Tribunal seeking an Unless Order pursuant to the claimant's failure to comply with the order of EJ Hyams is dismissed upon withdrawal by the claimant.
2. The claimant's first breach of contract claim (allegation that the claimant was dismissed and that the respondent failed to follow a disciplinary procedure) is struck out and is dismissed.
3. The claimant's breach of contract claim set out at 11.3 (personal injury) of the draft list of issues is dismissed because the Tribunal does not have jurisdiction to hear it.

4. The claimant's breach of contract claim set out at 11.4 (this seems at best to be a re-hash of the claimant's argument that she is entitled to damages for breach of contract arising out of the respondent's failure to follow a contractual disciplinary procedure) of the draft list of issues is dismissed because the Tribunal does not have jurisdiction to hear it.

Employment Judge KJ Palmer

Date: 07 December 2020

Sent to the parties on:10/12/2020..

.....
For the Tribunal Office