



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr A Tayel

v

**(1) Ormiston Academies Trust
(2) Ormiston Endeavour Academy
(3) Carmel Brown
(4) Christine Woods**

JUDGEMENT ON CLAIMANT'S APPLICATION FOR RECONSIDERATION

The Claimant's application for reconsideration dated the 26 March 2018 is refused.

REASONS

1. This is the Claimant's application for reconsideration of the Judgment and Reasons sent to the parties on the 12 March 2018 following a Preliminary Hearing on the 4 & 5 December 2017.
2. **Employment Tribunal Rules 2013.**

The Rules provides as follows:

Principles

70. A Tribunal may, either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so. On reconsideration, the decision ("the original decision") may be confirmed, varied or revoked. If it is revoked it may be taken again.

Application

71. Except where it is made in the course of a hearing, an application for reconsideration shall be presented in writing (and copied to all the other parties) within 14 days of the date on which the written record, or other written communication, of the original decision was sent to the parties or within 14 days of the date that the written reasons were sent (if later) and shall set out why reconsideration of the original decision is necessary.

Process

72. (1) An Employment Judge shall consider any application made under rule 71. If the Judge considers that there is no reasonable prospect of the original decision being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application shall be refused and the Tribunal shall inform the parties of the refusal. Otherwise the Tribunal shall send a notice to the parties setting a time limit for any response to the application by the other parties and seeking the views of the parties on whether the application can be determined without a hearing. The notice may set out the Judge's provisional views on the application.

3. The Claimant's application was received on the 26 March 2018. It stated as follows:

'The Claimant is requesting a review of the PH Judgment of 12 March 2018.

Race discrimination/Deposit Order.

The Claimant will rely on the followings:

1. Schedule interview for Create Department Technician Job Description;
 2. Cover supervisor Job description;
 3. Invigilator job description;
 4. Interview schedule of the above;
 5. Section 136 EA
Documents will be supplied to ET'
4. That is all that was stated. The application did not state, as required by the Rules, 'why reconsideration of the original decision is necessary'
 5. By a further letter of the 27 March the Claimant asked for a hearing to consider his application stating that would 'give the ET the opportunity to examine the documents the ET did not have' and 'give the parties the opportunity to make oral submissions'

6. By letter of the 27 March 2018 the Respondent objected to the application and pointed out that no reasons had been given as to why reconsideration was necessary nor why it was in the interests of justice that it be reconsidered. It also submitted that it would be contrary to the interests of justice where there had already been two preliminary hearings for the Respondent to have to attend another one.

Conclusions

7. No reasons have been provided as to why the Judgment should be reconsidered.
8. The Judge is further satisfied that there are no reasonable prospects of the decision being varied or revoked. The hearing lasted two days when considerable detail and submissions were considered. The decision was reserved and the typed reasons comprise 32 pages. That demonstrates the detail that the tribunal has gone into in considering the respective submissions and merits.
9. The Claimant's application is refused.

Employment Judge Laidler

Date:20 April 2018

Sent to the parties on:

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For the Tribunal Office