



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr D Pilkington

**Respondents:** Broadfield Specialist School  
Lancashire County Council

## JUDGMENT

The claimant's application dated 22 July 2018 for reconsideration of the judgment given on at the hearing on 18 July 2018 is refused.

## REASONS

There is no reasonable prospect of the original decision being varied or revoked, for the following reasons:

The claimant's mental state and his lack of legal knowledge were taken into account when considering whether the claimant's claim should be allowed to proceed. The claimant was given a fair opportunity to present evidence and address the Tribunal on these matters at the hearing on 18 July 2018 and a decision was made based on the evidence presented by him, including correspondence he obtained from his GP.

The claimant appears to be suggesting that he may be able to obtain additional evidence to support his submission that his mental state caused or contributed to the delay in presenting a tribunal claim. It is not clear in what way that additional evidence would differ from the letter from the claimant's GP that he relied on at the hearing. But in any event this additional evidence is evidence that the claimant could, with reasonable diligence, have obtained for use at the original hearing in July. The claimant could have reasonably foreseen that evidence of his mental state up to and including the date he brought his claim would be relevant to the issues to be determined at that hearing, especially in light of Employment Judge Ryan's comments to that effect at the earlier case management hearing, as recorded in the Case Management Order.

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Employment Judge Aspden

Date 21 August 2018

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE