



# EMPLOYMENT TRIBUNALS

## At a Reconsideration Hearing

**Claimant:** Miss B Thompson

**Respondent:** Argos Ltd

**Heard at:** Nottingham

**On:** Tuesday 5 March 2019

**Before:** Employment Judge Blackwell (sitting alone)

**Representation**

**Claimant:** Written representations

**Respondent:** Written representations

## JUDGMENT

The Claimant's application for a reconsideration of the Judgment and Reasons sent to the parties on 11 October 2018 is refused because there is no reasonable prospect of that decision being varied or revoked.

## REASONS

### 1. Introduction

- 1.1 On the very day that Miss Thompson's complaint of unfair dismissal was dismissed in her presence, she wrote to the tribunal a letter of 8 August 2018 effectively asking the tribunal to reconsider its decision which at that point had only been delivered orally.
- 1.2 There was delay in bringing the matter to my attention and further delay in obtaining the Respondent's comments.
- 1.3 On 11 October 2018, the tribunal office wrote to Miss Thompson and the Respondent as follows:

*"Employment Judge Blackwell has seen Miss Thompson's letter of 8 August 2018 and proposes to treat it as :-*

- a) *an application for a reconsideration of the decision issued to the parties today, and*

- b) of the case management decision not to adjourn the hearing and refuse Miss Thompson's application that Argos disclose the CCTV showing the events of 21 September 2017.*

1.4 The Respondent eventually furnished their comments on 15 February 2019.

2. **The law**

2.1 The relevant law is set out in Rules 70, 71 and 72 of the first schedule to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013.

3. **Conclusion**

3.1 As indicated above I have treated Miss Thompson's letter of 8 August as an application for a reconsideration because she has said she repeats the application that she made during the hearing and which is referred to at paragraph 18 of the original decision.

3.2 Miss Thompson's application reveals nothing that was not known to me at the time (ie during the hearing) when she made the application for the Respondent to disclose the CCTV footage and which effectively would have meant an adjournment.

3.3 Again, in relation to the decision itself (ie to dismiss Miss Thompson's claim of unfair dismissal), her letter of 8 August does not disclose any material which was not known to me at the time of the decision. She has always said that the CCTV would prove her innocence but, as set out in paragraphs 12, 13 and 14 of the original decision, I preferred the Respondent's evidence and in particular their evidence that the CCTV had been overwritten by the time of the appeal.

3.4 Thus, Miss Thompson's application must fail.

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Employment Judge Blackwell

Date: 11 March 2019

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

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