



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Bowskill

**Respondent:** Select Support Partnerships Limited

**Before:** Employment Judge Slater  
Mr R W Harrison  
Ms E Cadbury

**UPON** a reconsideration of the judgment sent to the parties on 19 November 2019, on the Tribunal's own initiative under rule 73 of the Employment Tribunals Rules of Procedure 2013, and without a hearing with the parties, but the members of the Tribunal meeting remotely on 19 May 2020,

## JUDGMENT

1. The judgment and reasons sent to the parties on 19 November 2019 are varied in the form attached to this judgment.
2. The judgment is varied by the deletion of paragraph 6 of the judgment and the following being substituted for paragraph 2 of the judgment: "The Tribunal does not have jurisdiction to consider the complaint of harassment related to age in relation to comments made by Mr Dalal on 13 September 2017, which was presented out of time".
3. The reasons are varied by the deletion of the paragraphs relating to remedy for harassment and the addition of the new paragraphs 90 to 96 set out in the form attached to this judgment.

## REASONS

1. By a letter dated 26 February 2020, the parties were informed that the Tribunal was of the view of its own initiative, that it was in the interests of justice that the judgment should be reconsidered. They were informed that the grounds for the proposed reconsideration were that, in error, the Tribunal had failed to address in its conclusions, the time limit issue in relation to the complaint of harassment. The

parties were invited to write with any objections to the judgment being reconsidered. No objections were received and, by letter of 27 March 2020, the parties were informed that Employment Judge Slater considered that the judgment should be reconsidered without a hearing. The parties were invited to make any further written representations by 17 April 2020. No representations were received.

2. It was agreed that the complaint of age-related harassment was presented out of time. The Tribunal had failed, in error, to consider, in reaching its conclusions, whether it was just and equitable to consider the complaint of age-related harassment out of time. On reconsideration, the Tribunal decided that it should correct this error by considering this issue. The Tribunal has done so and reached the conclusion that it would not be just and equitable in all the circumstances to consider the complaint out of time. The Tribunal's judgment in relation to the complaint of harassment is, therefore, varied as set out in the judgment above. The Tribunal's reasons for reaching the conclusion that it would not be just and equitable to consider the complaint out of time are set out in the amended reasons attached to this judgment.

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Employment Judge Slater

Date: 19 May 2020

JUDGMENT SENT TO THE PARTIES ON

29 May 2020

FOR THE TRIBUNAL OFFICE