



EMPLOYMENT TRIBUNALS

Claimant: Mr A Hafeez

Respondent: Rendall & Rittner Ltd

RECONSIDERATION UNDER RULE 72

Decision

- (1) Upon the claimant's application dated 18 June 2020 for a reconsideration of the Tribunal's order of 9 June 2020, limiting the final hearing bundle size to 700 pages in paragraph 1.1 and ordering an agreed bundle by 14 July 2020, the Tribunal considers that there is no reasonable prospect of the original decision being varied or revoked in the interests of justice, thus the application is refused.

Reasons

- (2) The length of the final hearing bundle was discussed *expressly* with both parties. It was agreed between the parties that the Bundle was approximately 650 but the claimant was seeking to add 300 pages which he said were transcriptions from recordings of various meetings with the respondent where he disagreed with the minutes the respondent had produced. Following discussion, the Tribunal ordered the claimant to produce a document up to 20 pages in length setting out aspects of the respondent's minutes he disagreed with (only in respect of material omissions or material errors). This was ordered having regard to the overriding interest and proportionality and the copious inter-parties correspondence to date. The Tribunal acknowledged that a small number of additional documents may be necessary as the claimant is still seeking documents, thus some additional page numbers were factored in in setting the 700-page limit. If, once the bundle is finalised on or before 14 July 2020 disclosure remains disputed and some documents are disclosed voluntarily or subsequently, pursuant to a Tribunal Order, the final hearing Bundle size can be re-visited if needed but it will only be increased if, because of those additional documents, the bundle size needs to exceed 700. That is consistent with the continuous duty of disclosure and keeps case management in control.

- (3) The Tribunal ordered the final hearing bundle to be agreed by 14 July 2020 having regard to there being two claims which have been combined. The period allows for sufficient time for the parties to discuss and finalise the bundle. The parties were reminded of their duty to cooperate under Rule 2. A follow up case management hearing has been listed for 18 August 2020 if disclosure remains disputed. This will include consideration of whether any recordings of meetings will need to be heard by the Tribunal.

Employment Judge Khalil

22 June 2020