



EMPLOYMENT TRIBUNALS

Claimant: Ms C Griffiths
Respondent: The Institution of Mechanical Engineers

JUDGMENT

The Claimant's application dated 12th October 2020 for reconsideration of the Judgment sent to the parties on 28th September 2020 is refused under rule 72 of the Employment Tribunals Rules of Procedure 2013. It is not necessary in the interests of justice for this matter to be reconsidered.

REASONS

1. Following the Judgment sent to the parties on 28th September 2020 the Claimant now applies for a reconsideration. In her application she says that she is "elaborating and clarifying some of her earlier claims" and that she wishes to present new evidence. She also asks that the Tribunal reconsider its Judgment with the role of President in mind and not that of the other trustees, and she disagrees with the Tribunal's conclusions on a number of points, including their conclusion on the issue of whether the Claimant could be said to have been doing work experience.
2. Under Rule 70 of the Employment Tribunal Rules of Procedure 2013 a Tribunal "may reconsider any judgment where it is necessary in the interest of justice to do so", and upon reconsideration the decision may be confirmed varied or revoked.
3. Rule 72 provides that an Employment Judge should consider the request to reconsider, and if the judge considers there is no reasonable prospect of the decision being varied or revoked, the application shall be refused. Otherwise it is to be decided, with or without a hearing, by the Tribunal that heard it.
4. Under the 2004 rules prescribed grounds were set out, plus a generic "interests of justice" provision, which was to be construed as being of the same type as the other grounds. These were that a party did not receive notice of the hearing, or the decision was made in the absence of a party, or that new evidence had become available since the hearing provided that its existence could not have been reasonably known of or foreseen at

the time. The Employment Appeal Tribunal confirmed in [Outasight VB Ltd v Brown UKEAT/0253/14/LA](#) that the 2013 rules did not broaden the scope of the grounds for reconsideration (formerly called a review).

5. A reconsideration is not a means by which a party can reargue the case that was made at the hearing. Something particular is required to establish this ground, beyond the fact that the party is disappointed with the decision. The submissions made by the Claimant are simply an attempt to reargue her case and to repeat or elaborate on submissions that have already been made. During the hearing she was asked if the claim was about the President alone about her status as a trustee and she was clear that her claim related to the status of Trustee. In any event the position of the President was considered in the Judgment.
6. The Claimant makes submissions on matters that the Tribunal has already considered and decided. She does not present new evidence that was not available at the original hearing. The Tribunal has heard and considered the evidence and submissions of both parties and come to a conclusion. There are no grounds for a reconsideration and no reasonable prospect of the original decision being varied or revoked.

Employment Judge F Spencer
Dated 5th November 2020

JUDGMENT SENT TO THE PARTIES ON

06/11/2020.

FOR THE TRIBUNAL OFFICE