



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms K Bacon  
**1<sup>st</sup> Respondent:** Advanced Fire Solutions Ltd (In Administration)  
**2<sup>nd</sup> Respondent:** Mr Graham Ellis

## JUDGMENT

The second respondent's application dated **16 June 2020** (first seen by Employment Judge Postle on 28 October 2020) for reconsideration of the judgment sent to the parties on **2 June 2020** is refused.

## REASONS

There is no reasonable prospect of the original decision being varied or revoked, because having considered the 2<sup>nd</sup> Respondent's numbered paragraphs set out in his application, Judge Postle responds as follows:

Para (1) - It would be very surprising if the Tribunal had no made findings based on the evidence against the 2<sup>nd</sup> Respondent given he was a party to the proceedings.

Paras (2), (3), (4), (5), (6) – The 2<sup>nd</sup> Respondent merely disputes the Tribunal's findings of fact based on the evidence delivered before the Tribunal at the hearing.

Para (7) – The Claimant's grievance simply was never addressed as the findings of fact clearly support.

Para (8) – The 2<sup>nd</sup> Respondent had every opportunity to provide this missing (alleged) piece of evidence he failed to do so.

Para (9) – The 1<sup>st</sup> Respondent and 2<sup>nd</sup> Respondent had been represented throughout by competent solicitors notwithstanding the 1<sup>st</sup> Respondent goes into administration very suddenly less than a week before the Full Merits Hearing, the 2<sup>nd</sup> Respondent could and should have continued to instruct his solicitor, he chose not to do so.

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Employment Judge **Postle**

Date\_\_18<sup>th</sup> Dec 2020\_\_

JUDGMENT SENT TO THE PARTIES ON  
21<sup>st</sup> Dec 2020

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FOR THE TRIBUNAL OFFICE