



EMPLOYMENT TRIBUNALS

Claimant: Miss R Nyatando
Respondent: Rolls-Royce plc

Heard at: Nottingham
On:
Before: Employment Judge Blackwell (sitting alone)

Representation
Claimant: Written representations
Respondent: Written representations

JUDGMENT

There is no reasonable prospect of the original decision sent to the parties on 15 December 2020 being varied or revoke, therefore the Claimant's application for a reconsideration dated 28 December 2020 is refused.

REASONS

1. This is a Reconsideration application pursuant to Rules 71 and 72 of the First Schedule of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013.
2. **Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013**

“72.—(1) An Employment Judge shall consider any application made under rule 71. If the Judge considers that there is no reasonable prospect of the original decision being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application shall be refused and the Tribunal shall inform the parties of the refusal. Otherwise the Tribunal shall send a notice to the parties setting a time limit for any response to the application by the other parties and seeking the views of the parties on whether the application can be determined without a hearing. The notice may set out the Judge's provisional views on the application.”

3. Dr Nyatando made a lengthy application for a Reconsideration of the original decision which was sent to the parties on 15 December 2020. Her application appears to be centred upon the removal from the list of issues to be determined by a Preliminary Hearing to be held on 4, 5, 6 and 7 May 2021 of the issue of “Whether Dr Nyatando is disabled within the meaning of Section 6 and Schedule 1 of the Equality Act 2010”.
4. The Respondent had conceded that she was disabled by an email of 19 August 2020 in respect of the following conditions:-
 - migraines
 - depression
 - stress.
5. They did not concede that the Claimant was disabled in relation to Post Traumatic Stress Disorder. Dr Nyatando wished that that issue should be determined, ie whether she is disabled in relation to PTSD.
6. For the reasons set out in paragraph 11 of the original decision, I refused that application. Nothing in Dr Nyatando’s application for reconsideration is new and therefore her application for reconsideration has no reasonable prospect of success and is therefore refused.

Employment Judge Blackwell

Date: 15 February 2021

JUDGMENT SENT TO THE PARTIES ON

16 February 2021

FOR THE TRIBUNAL OFFICE

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