



EMPLOYMENT TRIBUNALS

Claimant: DIANE BLOOMER

Respondent: LITTLE BUNDLES OF JOY LIMITED

JUDGMENT

The claimant's application dated **18 March 2021** for reconsideration of the judgment sent to the parties on **5 March 2021** is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because the request for reconsideration is largely an attempt to seek to re-argue the facts of the case and in various places seeks to introduce new evidence.

Some specific procedural points raised require to be addressed:

- a. The decision to agree Mrs Chaggar's witness statement was indeed an important one. The points raised in the request for reconsideration as to how Mrs Chaggar's statement should be interpreted could have been put to her in cross-examination. The Tribunal did not suggest that Mrs Chaggar's evidence should be agreed and the assertion to that effect is erroneous. This was entirely the initiative of the Claimant and her representative and was unexpected. Hence the Tribunal checked that the Claimant and Mr Crumpton were familiar with and had read the statement before they confirmed that they had no questions for Mrs Chaggar. Mrs Chaggar was present during the hearing and ready to give evidence.
- b. The Claimant's mother's statement (Mrs Bloomer) did not appear to give relevant evidence, but it was the Claimant's decision not to call her. There was no "agreement" to that effect.
- c. A witness statement had been served from Mrs Mann by the Respondent and she was entitled to give oral evidence. No objection was taken at the time to her giving evidence or the content of her witness evidence.

- d. There is no explanation for why new text messages could not have been adduced as evidence at the hearing. The material referred to in the request does not appear on its face to be decisive in character.

Employment Judge **McCluggage**

Date_30 April 2021_____

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE