



EMPLOYMENT TRIBUNALS

Claimant: Mr J West

Respondent: Alith Vore Consulting Limited

UPON APPLICATION made by email dated 6 July 2021 and subsequently set out in the letter dated 6 July 2021 and received by the Tribunal on 28 July 2021, to reconsider the judgment dated 21 June 2021 and sent to the parties on 22 June 2021 under rule 71 of the Employment Tribunals Rules of Procedure 2013, without a hearing;

JUDGMENT

1. The respondent's application for reconsideration of paragraph 25 of the reserved judgment succeeds.
2. The respondent's application to extend time for further reconsideration application or appeal is dismissed.

REASONS

3. The respondent's solicitors emailed the tribunal and the claimant on 6 July 2021 indicating their application for reconsideration of the judgment which had been sent to the parties on 22 June 2021. That application was therefore presented on the final day within the time limit for reconsideration.
4. Unfortunately, the email, which on the face of it made the request for reconsideration, attached the wrong letter and therefore the details of the respondent's application were unknown to the tribunal and the claimant. When this was rectified by the respondent on 28 July 2021, after the error had been pointed out to them, the respondent failed to comply with rule 92, to copy the claimant into the correspondence. The claimant therefore remained unaware of the content of the application, until he was provided with the correct letter on 17 August 2021.
5. The claimant correctly and promptly wrote to the tribunal the same day to set out his views on the application and the error by the respondent.
6. I have therefore considered both the application and the claimant's response to it, as well as reviewing the content of the reserved judgment itself. I have not heard

oral submissions from the parties on this point, but consider that I am sufficiently informed of their respective positions by their correspondence.

7. The respondent's application is specific to paragraph 25 of the reserved judgment and points out that there is an incomplete sentence in the section which outlines the findings of fact. They request that this is completed. Whilst not entirely central to the issues in the case, it is appropriate that the parties should be fully aware of the tribunal's decision on the facts of the case. I therefore amend the judgment to include a final sentence at paragraph 25 which reads, "They could not be accessed and were replaced by the Respondent."
8. The respondent's application also requests that the time for application for further reconsideration/appeal is extended to the date on which this judgment is sent to the parties.
9. I do not consider that such an extension is necessary or appropriate. There has been no change to the decision aspect of the judgment. That could never have been a possible outcome of the respondent's application. Therefore, there is no reason to consider that it was not reasonably practicable for them to have filed any other reconsideration or appeal application within the relevant time limits from receipt of the judgment on 22 June 2021. To be specific, paragraph 50 has not been amended.
10. The only alteration to the judgment as a result of this application is to clarify a finding of fact and hence is not a matter which is likely to be within the jurisdiction of the Employment Appeal Tribunal. I dismiss the application to extend time for further reconsideration or appeal.

Employment Judge Cowen

Date: 26 August 2021

JUDGMENT SENT TO THE PARTIES ON

13 September 2021

FOR THE TRIBUNAL OFFICE