



EMPLOYMENT TRIBUNALS

Claimant: Mr Graham

Respondent: Thorn Plant Hire Limited

JUDGMENT

The claimant's application dated 17 October 2021 for reconsideration of the judgment sent to the parties on 7 October 2021 is refused.

REASONS

1. There is no reasonable prospect of the original decision being varied or revoked, because the prescribed element is calculated as the amount of the compensation which accumulated during the period in which the recoupment will take place.
2. That amount is withheld from the claimant, until the DWP has indicated the amount of recoupment appropriate. The respondent is then obliged to pay the recoupment amount to the DWP and the balance remaining to the claimant.
3. The prescribed element in this case was set as £11,590 which represents the loss of earnings from 14/1/20 to 11/10/20, without any deduction for income received from DWP benefits. The sum deducted as recoupment will therefore be the first and only deduction from the claimant's award.

Employment Judge Cowen

Date 20 November 2021

JUDGMENT SENT TO THE PARTIES

22 November 2021

FOR THE TRIBUNAL OFFICE