



EMPLOYMENT TRIBUNALS

Rule 72 of the First Schedule of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013

Claimant: Mr S Flannery
Respondent: British Gas Services Ltd

Heard at: Nottingham
On: 14 February 2022

Before: Employment Judge J Blackwell (sitting alone)

JUDGMENT

The application dated 12 December 2021 for a reconsideration of the original decision sent to the parties on 3 December 2021 is refused because there is no reasonable prospect of the original decision sent to the parties on 3 December 2021 being varied or revoked.

REASONS

1. By an application of 12 December 2021, Mr Flannery sought a reconsideration so as to revoke or vary “*any issue with respect to the jurisdiction ...*”.
2. The only decision capable of reconsideration contained in the original decision is:

“Claim 3306370/2020 is dismissed on withdrawal by the Claimant.”
3. As is recorded in the case management summary of the original decision, Mr Flannery brought two identical claims; 3306369/2020 against British Gas Services Ltd with a second identical claim 3306370/2020 against Centrica plc.
4. It was common ground that British Gas Services Ltd was Mr Flannery’s employer at the time of his alleged unfair dismissal and/or wrongful dismissal.
5. Claims for unfair dismissal and wrongful dismissal can only be brought

against the employer who is alleged to have either unfairly or wrongly dismissed the Claimant.

6. It therefore follows that revoking the decision to dismiss the claim against Centrica plc can have no value to Mr Flannery because Centrica plc was not Mr Flannery's employer at the relevant time of dismissal.
7. Thus, the application cannot succeed and is dismissed.

Employment Judge J Blackwell

Date: 8 March 2022

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