



EMPLOYMENT TRIBUNALS

Claimant: Jason Lock

Respondent: Bryn Afon Community Housing Ltd

JUDGMENT

The Claimant's application dated 20 May 2022 for reconsideration of the judgment sent to the parties on 6 May 2022 is refused.

REASONS

1. There is no reasonable prospect of the original decision being varied or revoked, because having reviewed:
 - a. her notes of the evidence given at the final merits hearing;
 - b. the documents from the Bundle, referred to in the Claimant's letters of 20 and 22 May 2022 2022;
 - c. The Tribunal's reserved judgment sent to the parties on 6 May 2022; and
 - d. the letter from the Claimant of 20 May 2022 and 22 May 2022.

Employment Judge Brace is satisfied that the letter of 22 May 2022 contains, not only evidence which the Tribunal took into account in reaching its decision, but also additional evidence which was not put before the Tribunal at the final merits hearing (either in written statement or in oral evidence).

2. She is also satisfied that, despite having the opportunity to put such additional matters to the Respondent's witnesses at the hearing, the Claimant did not take that opportunity.
3. This is particularly relevant to the Tribunal's findings (and conclusions) in relation, but not limited to, the Claimant's complaint that 'false' statements were made by Martyn Savage, Craig Allford, Ashley Bayliss, Kimberley Williams and Cath Howells (see §160), the ancillary issue of who was managing the Claimant's sickness (see §75, 99-101 and 216,) as well as the provision of the HAVS assessment (see §58).

4. The reasons provided by the Tribunal do not contain all the evidence that was taken during the course of the final merits hearing but, in reaching its conclusion on whether the Claimant was a disabled person by reason of his carpal tunnel syndrome, the Tribunal did take into account evidence that the Claimant gave in cross-examination; evidence that included evidence from the Claimant that as at the date of the final merits hearing he still had the condition of carpal tunnel, but that it was '*not bad enough for medical intervention*' but that it still affected him. In determining whether the Claimant was a disabled person at the relevant times however, it considered the Claimant's symptoms and the impact on normal day to day activities at the relevant times and not current symptoms or impact on day to day activities. It was the Tribunal's judgement that the Claimant was not a disabled person by reason of his carpal tunnel syndrome irrespective of current symptoms.
5. The purpose of the reconsideration is not to provide the parties with the opportunity of adducing further evidence and there is a strong public interest that there should, so far as possible, be finality of litigation.

Employment Judge R Brace

Date - 31 May 2022

JUDGMENT SENT TO THE PARTIES ON 9 June 2022

FOR EMPLOYMENT TRIBUNALS Mr N Roche