



# EMPLOYMENT TRIBUNALS

Claimant: Mr H Allen

Respondents: (1) Accenture (UK) Limited  
(2) Bow & Arrow Limited

## JUDGMENT FOLLOWING RECONSIDERATION

The Claimant's application of 1 July 2022 for a reconsideration of the judgment sent to the parties on 20 June 2022 is refused.

## REASONS

1. Rule 70 of the Tribunal Rules 2013 allows me to reconsider a judgment where it is necessary in the interests of justice to do so.
2. On an application for a reconsideration of a judgment, Rule 72 requires me first to consider whether there is any reasonable prospect of the original decision being varied or revoked. If not I must refuse the application. If there is then Rule 72 sets out the process then to follow in seeking the other party's response.
3. The Claimant contends that I made an error in calculating time for the purposes of the time limit in section 123 of the Equality Act 2010.
4. The Claimant states in his application that: *My understanding of the EQA is that three months from the period dated 3 June 2022 would be 3 September 2022 and the claim was made on that day, not after, and therefore the tribunal has jurisdiction to hear the claim.*
5. He also objects to my use of Hammond v Haigh Castle & Co Ltd [1973] ICR 148 to support my interpretation of section 123.
6. It is clear from my judgment that I relied upon the meaning of the words of section 123 itself. The key phrase is 'may *not* be brought *after the end of the period of 3 months starting with*

7. A natural reading of those words means that the calculation starts with the date complained of: in the Claimant's example, 3 June. The tribunal then counts to the end of the period of 3 months starting with i.e. including 3 June. As I explained in the original decision at paragraph 12, the end date cannot be 3 September because that is 3 months plus 1 day.
8. I did not require authority for this proposition: it derives from the natural meaning of the words. Thus, even if I do not refer to Hammond, it does not change my reasoning.
9. For these reasons I do not consider the judgment has reasonable prospects of being varied or revoked and I refuse the application for a reconsideration.

**Employment Judge Moor  
Dated: 28 July 2022**