



EMPLOYMENT TRIBUNALS

Claimant: Ms. J. Barnes

Respondent: Richard Newton Consulting Ltd.

JUDGMENT

The respondent's application dated 16th November 2022 for reconsideration of the judgment sent to the parties on 2nd November 2022 is refused.

REASONS

1. The respondent's application for reconsideration relates to judgment given at a preliminary hearing determining the issue of whether, at the material time, the claimant was a disabled person. "The material time" was the period of 1st February - 17th May 2021. The preliminary hearing was held on 14th October 2022. Judgment was reserved and sent to the parties on 2nd November 2022.
2. There is no reasonable prospect of the original decision being varied or revoked because, having reviewed her notes from the preliminary hearing, the reserved judgment sent to the parties on 2nd November 2022 and the contents of the respondent's email dated 16th November 2022, Employment Judge Evans is satisfied that the content of the reserved judgment is an accurate record of the hearing. She is also satisfied that the Tribunal gave all the issues full consideration and prepared its decision and reasons with regard to all the evidence and submissions presented by both parties.
3. The respondent seeks to challenge findings of fact that were made and the conclusions that the Tribunal reached from those findings. It is not the purpose of reconsideration to allow a party to dispute a determination that a party disagrees with and it is a fundamental requirement of litigation that there is certainty and finality. If conclusions made are disputed with regard to whether a correct interpretation of the law was made, they are matters for an appeal which the respondent is able to make to the Employment Appeal Tribunal. The respondent has indicated that this is a matter it is considering.

4. For the reasons outlined here, the respondent's application for reconsideration of the preliminary judgment sent to the parties on 2nd November 2022 is refused.

Employment Judge S Evans
Date - 13 December 2022

Sent to the parties on 16 December 2022

For the Tribunal Office Mr N Roche