



EMPLOYMENT TRIBUNALS

Claimant: Ms C Hincks

Respondent: Roundleaf Ltd

Heard at: Leicester Hearing Centre, 5a New Walk, Leicester, LE1 6TE

On: 14 February 2023

Before: Employment Judge Adkinson sitting alone

Considered on the papers

JUDGMENT

UPON considering the claimant's application of 27 February 2023 for reconsideration of my judgment sent to the parties on 22 February 2023, IT IS ORDERED that the application is DISMISSED because there is no reasonable prospect of the judgment being varied or revoked.

REASONS

In the hearing before the Tribunal on 14 February 2023 the claimant herself confirmed to the Tribunal that she still remained employed by the respondent. That was her case. Therefore she cannot succeed in a claim of redundancy because at the time of the hearing she had not been dismissed and so was not redundant. Her case therefore is fundamentally flawed. Nowhere in the application does she present new information that she was in fact dismissed (or working out a period of notice) when she presented her claim. To do so would be to change her case completely. She had a fair opportunity to present her case to the Tribunal and it is not necessary in the interests of justice she be given another chance in respect of this claim.

As for the other information, the Tribunal is not an investigative body or a regulator. Even if the claimant can prove the allegations in her application, it will not result in a different judgment since her case was she was an employee still.

Nothing in the application calls into question the judgment in the other parts of her claim for holiday pay.

If the claimant alleged that she has since the final hearing been dismissed, and she wishes to present a claim based on the recent, actual dismissal, then that is a matter for her. Such a claim will be subject to the usual rules and legal principles. The Tribunal cannot advise on those matters.

Employment Judge Adkinson

Date: 3 March 2023

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