



EMPLOYMENT TRIBUNALS

Claimant: Mr P Hunt

Respondent: RT Keedwell Group Ltd

JUDGMENT

The claimant's application dated 11 August 2023 for reconsideration of the judgment sent to the parties on 1 August 2023 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because the claimant was given a full opportunity to make the arguments raised in the reconsideration application at the final hearing. To the extent that he did so, the arguments have already been properly considered and addressed in the reserved judgment and reasons. To the extent that the claimant's case was not put in exactly the same way at the final hearing as it is in the reconsideration application, there is no good reason to allow the claimant a second opportunity to put his case.

The claimant's summary of some of the evidence and submissions set out in the reconsideration application does not entirely match the Tribunal's own note of the hearing (for example, Mr Evans' evidence in cross examination about the issue of re-employing the claimant in order to furlough him.) The Tribunal has made findings in accordance with its own notes of the evidence and has drawn conclusions in line with the submissions and arguments made on behalf of the parties at the hearing. The Tribunal has addressed the matters which were for determination as set out in the list of issues. It has not strayed beyond the confines of the pleaded case as argued at the hearing.

The Tribunal has properly and fully addressed the provisions of Coronavirus Job Retention Scheme (and associated guidance) that were applicable at the material time. The Tribunal has made findings which were properly open to it based on the evidence which was presented to the Tribunal and has set out a detailed chronology of the events which took place within the respondent's business at each stage of the

Case No: 2402807/2021

unfolding pandemic. The claimant has not provided any new evidence which would undermine the conclusions already reached or require a reconsideration of the decision.

Employment Judge Eeley

Date: 28 September 2023

JUDGMENT SENT TO THE PARTIES ON

3 October 2023

FOR THE TRIBUNAL OFFICE