



EMPLOYMENT TRIBUNALS

Claimant: Mrs D Phillips

Respondent: Aneurin Bevan University Local Health Board

JUDGMENT

The claimant's application dated **13 November 2023** for reconsideration of the judgment sent to the parties on **30 October 2023** is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because:

1. The Tribunal's decision in respect of disability was made at a preliminary hearing convened specifically to determine that issue.
2. The Claimant attended the hearing and was able to give evidence on the issue. The Claimant had provided two statements setting out the impact of the asserted disabilities on her ability to carry out day to day activities.
3. The Tribunal was provided with a bundle of documents containing evidence, including a variety of photographs and the Claimant's medical records. No concerns were raised by either party in respect of the contents of the bundle at any stage during the preliminary hearing.
4. No concerns were raised at any stage by the Claimant during the hearing as to the number of people present at the hearing (which was conducted by video) or as to any effect that had upon her ability to conduct the hearing and represent herself. At no stage did the Claimant raise any concerns that she was not receiving a fair hearing.
5. The Tribunal gave a decision during the hearing on the issue of disability and subsequently provided written reasons as requested by the Claimant.

6. The Tribunal made findings based on the evidence provided by the parties and applied the appropriate legal principles in reaching its conclusion.
7. It is to be noted that the Tribunal found that the Claimant was a disabled person at the material time by reason of one of the two impairments relied upon by the Claimant.
8. The fact that the Claimant disagrees with the decision made and/or that it may have an impact upon the remaining issues to be determined in the Claimant's claim is not a reason for the original decision to be varied or revoked.
9. The documents related to the Claimant's grievance and the document referred to by the Respondent's counsel during the preliminary hearing which the Tribunal has now been provided with do not undermine or alter the decision made by the Tribunal or its reasons.
10. There is a need for finality in litigation on any issues determined by the Tribunal.

Employment Judge Vernon

Date 29 November 2023

JUDGMENT SENT TO THE PARTIES ON 29 November 2023

FOR THE TRIBUNAL OFFICE Mr N Roche