



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr B Teaca

-v-

Coventry University Higher Education Corporation

JUDGMENT

The claimant's application dated 15 September 2023 for reconsideration of my refusal of his amendment application is out of time. His application to extend time is refused. In any event it is refused on the basis there is no reasonable prospect of the original decision being varied or revoked.

REASONS

1. The application for reconsideration is out of time. The claimant's application to extend time is refused. He is a highly intelligent man and was or ought to have been aware how he could obtain legal advice or to find the information that he has subsequently come across to identify the time limits. He does not address what steps he took and why he did not do so earlier. Further the timing issue was one that was raised in relation to the amendment application. He should have been alive to it for those reasons.
2. Had the application for reconsideration been in time I would have refused it in any event. The claimant's application is essentially an attempt to reargue matters raised at the hearing. The reasons I gave at the hearing still apply:-
 - 2.1. The complaint of sex discrimination is not a relabelling. The facts now relied upon go beyond than those identified in the claim form and the inferences the claimant suggests should have been inferred into the allegations made in the claim form cannot in my judgment be inferred.
 - 2.2. The application was made substantially out of time. There is substantial prejudice to the respondent if the amendment is granted, the matters the claimant now seeks to complain about were not raised at the time, the first time the complaint was identified as such was 21 months or so after the incident and long after the claimant had brought this claim raising other complaints. When he brought his claim he could have identified the facts that form the basis of the complaint that forms the subject of the amendment application. He did not and gives no good reason why he did not. That is noteworthy given the number of



allegations he did make and the points made above about his ability to obtain advice if he needed to. Even when he sought to amend he did not identify how the claim was put in the detail required. As a result the respondent has been denied the opportunity to investigate those matters at the time of the events or shortly thereafter. The importance of doing so is all the greater in discrimination complaints as they focus on the reason for the treatment in the mind of the alleged discriminator.

- 2.3. The prejudice to the respondent in my judgment substantially outweighs the prejudice to the claimant by his loss of the right to bring a claim. The application to amend is refused.
3. Accordingly, there is no reasonable prospect of the original decision being varied or revoked.

Employment Judge Perry

28 September 2023