



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss K Thomas  
**Respondent:** Maximus UK Services Ltd  
**On:** 30 May 2024 (on the papers)  
**Before:** Employment Judge Ahmed  
**At:** Leicester

## JUDGMENT ON AN APPLICATION FOR A RECONSIDERATION

The Claimant's application for a reconsideration of the original judgment of a hearing on 28 March 2024, signed on 11 April 2024 and for which written reasons were sent on 30 April 2024 is refused as there is no reasonable prospect of the original decision being varied or revoked.

## REASONS

1. This decision deals with an application for a reconsideration of a judgment following a remedy hearing on 28 March 2024. The liability hearing took place on 3, 4 and 5 January 2024.
2. This application has been dealt with on paper pursuant to Rule 72(1) of the Employment Tribunal Rules of Procedure 2013, as amended.
2. The judgment of the tribunal on the issue of remedy on was sent to the parties on 11 April 2024.
3. The Claimant sought written reasons and these were sent on 30 April 2024.
4. On 14 May 2024 the Claimant made an application for a reconsideration of the decision made on 28 March 2024.
5. I will deal with the application using the same headings as the reconsideration application.

Breach of natural justice

6. There was no ‘agreed remedy figure’. The figure of £16,745.47 was the potential loss. The remainder of the paragraph seeks to re-litigate a decision already made. The case has been ventilated and argued. Having regard to the decision in *Trimble v Supertravel Ltd* (1982) ICR 440, it is not appropriate to re-open the arguments.

Lack of notice to prepare

7. The remedy hearing on 28 March 2024 was fixed on 5 January 2024 (at the conclusion of the liability hearing). The Claimant therefore had adequate time to prepare. The Respondent did make an application to postpone the remedy hearing but this application was refused.

8. There was no application at the outset of the remedy hearing on 28 March 2024 by the Claimant to postpone the hearing on the grounds that she was not ready or unprepared. It was therefore appropriate to continue.

9. The Claimant has not at any time indicated a wish to seek legal advice or to postpone in order that she could seek advice.

Failure to consider relevant evidence

10. The Claimant appears to be relying on new evidence which was not adduced at the remedy hearing. The Claimant has not given any reason why (1) this information could not have been introduced at the hearing with reasonable diligence (2) how it would have had an important effect on the case and (3) why the Claimant could not have called any potential witnesses so that the credibility of their evidence could be tested. Having regard to the principles in *Ladd v Marshall* (1954) 3All ER 745 this ground for reconsideration is refused.

11. For the above reasons the application for a reconsideration is refused.

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Employment Judge Ahmed

Date: 30 May 2024

JUDGMENT SENT TO THE PARTIES ON

....06 June 2024.....

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FOR THE TRIBUNAL OFFICE

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