



# EMPLOYMENT TRIBUNALS

**Claimant:** Elaine Williams

**Respondent:** Hertfordshire County Council

## JUDGMENT

The claimant's application dated 2. 5. 2024 for reconsideration of the judgment of the 12 April 2024 is refused.

## REASONS

1. *There is no reasonable prospect of the original decision being varied or revoked, because the Tribunal in its decision at paragraphs 43-46 noted as follows, " 43. During that period (15 June 2022- 16 February 2024) the claimant set out multiple reasons as to why she was unable to find alternative work, at best she did not consider that her skills were up-to date for some areas of practice. Accordingly, she told us that she needed additional training. At worst there appeared to have been a refusal on her part to consider any other area of practice other than one which involved the supervision of foster carers. The claimant referred to some areas of practice as being areas that she would have undertaken when she was first qualified, rather than as an experienced social worker.*
44. *The claimant further claimed that the reference had ruined her reputation. However, the claimant did not provide any evidence that this had happened or that the reference had been disseminated, or seen by other potential employers. The Tribunal noted that the reference had been withdrawn. The Tribunal finds that given this, the poor reference should not have prevented or hampered her in her ability to find work.*
45. *The Tribunal finds that Ms Gittos acted promptly to the claimant's request that the reference be rescinded, the Tribunal considered her letter in which she stated-: "I am writing regarding a reference supplied to you by Grete Lund, Service Manager dated 29.06.22 in respect of Elaine Williams. I am requesting that your service please delete all copies of this reference stored on all computers and any other devices and that you please kindly confirm that you have deleted the reference? I make this request because Hertfordshire policy is to give an HR reference only and the first reference*

*dated 29.06.22 was sent in error and contained factually incorrect statements.”*

46. *The Tribunal noted that the reference was provided on 29 June 2022, and that in response to the Claimant’s issuing a complaint Ms Gittos had by the 19 July 2022 indicated that she was prepared to withdraw the reference...”*
2. The Tribunal noted that the claimant has now provided further details of eight interviews, however the Tribunal determined on the evidence before it, which included the oral evidence of the claimant the Tribunal found that the claimant limited her applications to roles which involved supervision of foster carers. The Tribunal found that this amounted to a failure to mitigate the claimant’s losses. The Tribunal also found that although the claimant was subjected to a detriment, the respondent by the 19 July 2022 had taken steps to put matters right.
  3. The claimant in her request for a reconsideration has put forward no new grounds to undermine the findings of the Tribunal.
  4. Accordingly the request to reconsider the decision in respect of remedy is refused.

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**Employment Judge Daley**

Date 6 August 2024

JUDGMENT SENT TO THE PARTIES ON  
7 August 2024

FOR THE TRIBUNAL OFFICE