



EMPLOYMENT TRIBUNALS

Claimant: Mr P Sutton

Respondent: The Best Connection Group Limited

Heard: On the papers **On:** 8 July 2024

Before: Employment Judge Bradford

JUDGMENT ON APPLICATION FOR RECONSIDERATION

The judgment of the tribunal is that the claimant’s application for reconsideration is refused because there is no reasonable prospect of the decision being varied or revoked.

REASONS

1. The claimant has applied for a reconsideration of the judgment dated 10 May 2024 which was sent to the parties on 29 May 2024 (“the Judgment”). The grounds are set out in his email dated 6 June 2024.
2. Schedule 1 of The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 contains the Employment Tribunal Rules of Procedure 2013 (“the Rules”). Under Rule 71 an application for reconsideration under Rule 70 must be made within 14 days of the date on which the decision (or, if later, the written reasons) were sent to the parties. The application was therefore received within the relevant time limit.

3. Under Rule 5 the Tribunal may, on its own initiative or on the application of a party, extend or shorten any time limit specified in the Rules or in any decision, whether or not (in the case of an extension) it has expired.
4. The grounds for reconsideration are only those set out in Rule 70, namely that it is necessary in the interests of justice to do so.
5. The ground relied upon by the claimant is that he was unaware of the three month time period in which he was required to bring his claim. The Claim was brought almost 10 months out of time, and the request for reconsideration is based on the reason adjudicated on at the hearing; namely that the Claimant was unaware of the relevant time limit. He has made no submissions, nor provided any evidence capable of leading to a conclusion that it was not reasonably practicable for the claim to be brought within the three month time period.
6. The matters raised by the claimant were considered in the light of all of the evidence presented to the tribunal before it reached its decision. In *Fforde v Black* EAT 68/60 the EAT decided that the interests of justice ground of review does not mean “that in every case where a litigant is unsuccessful he is automatically entitled to have the tribunal review it. Every unsuccessful litigant thinks that the interests of justice require a review. This ground of review only applies in the even more exceptional case where something has gone radically wrong with the procedure involving a denial of natural justice or something of that order”. This is not the case here. In addition it is in the public interest that there should be finality in litigation, and the interests of justice apply to both sides.
7. Accordingly I refuse the application for reconsideration pursuant to Rule 72(1) because there is no reasonable prospect of the Judgment being varied or revoked.

Employment Judge Bradford
Dated 8 July 2024

JUDGMENT SENT TO THE PARTIES ON
23rd July 2024

FOR THE TRIBUNAL OFFICE