



EMPLOYMENT TRIBUNALS

Claimant: Ms A Queiroz

Respondent: Medical Services International Limited

JUDGMENT

The claimant's application dated **29 November 2024** for reconsideration of the judgment in respect of which written reasons were sent to the parties on **26 November 2024** is refused.

REASONS

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

Costs of legal coaching

1. The claimant submits that these costs should have been awarded by the Tribunal as expenses under section 123 Employment Rights Act 1996 rather than considered as a preparation time order.
2. The Tribunal understood the claimant to be seeking a preparation time order in respect of these sums; she had included the claim in the section of her Schedule of Loss entitled 'Preparation Time Order'. Even had the Tribunal understood that the claimant was seeking to pursue this claim as a type of expenses, the result would not have been any different. Expenses awarded under section 123(2)(a) do not include any fees which might be subject to a costs or preparation time order, orders which are only made in accordance

with the tests set out in the Employment Tribunals Rules of Procedure 2013. See Nohar v Granitstone (Galloway) Ltd 1974 ICR 273, NIRC.

Sums spent on medical care

3. The claimant seeks to give further evidence about the receipt and invoice which we had in the bundle. We did not have that evidence at the time although it would have been open to the claimant to have provided it and we made a decision based on the evidence which was in front of the Tribunal at the hearing. It would not be in the interests of justice or proportionate for the claimant to have the opportunity to present further evidence and argument which could have been presented at the remedy hearing.

Interest

4. The claimant has written: "The total award missed is applied interest as per Tribunal findings at para 49 and (para 94) 'We were not satisfied that there would be serious injustice to the respondent if we awarded interest for the longer period. The delay was not exceptional and the respondent has had the use of the money during the period when interest has been accruing.'"
5. The basis on which she seeks reconsideration of the award of interest is entirely unclear.

Employment Judge Joffe
9 December 2024

JUDGMENT SENT TO THE PARTIES ON
13 December 2024

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FOR THE TRIBUNAL OFFICE