



## EMPLOYMENT TRIBUNALS

**Claimant:** Christopher Thomas Waddell

**Respondent:** Lead Pro Solutions Limited

**Heard at:** London Central Employment Tribunal

**On:** 3 March 2025

**Before:** Employment Judge Sarkis

### Representation

Claimant: In person

Respondent: Did not attend

## RECONSIDERATION DECISION

The respondent's application of 18 March 2025 for reconsideration of my judgment dated 3 March 2025 is refused.

### REASONS

1. An application for reconsideration is an exception to the general principle that (subject to an appeal on a point of law) a decision of an Employment Tribunal is final. The test is whether it is necessary in the interests of justice to reconsider the judgment (rule 70).
2. Under Rule 72(1) I may refuse an application based on preliminary consideration if there is no reasonable prospect of the original decision being varied or revoked.
3. The respondent applies for reconsideration on the basis that the Tribunal's decision to refuse his postponement request made at 5.02pm the day before the hearing constituted a material procedural irregularity, giving rise to a breach of natural justice.
4. The respondent's request for a postponement was made on the basis that he had pre-existing leave booked for the following day, the day of the hearing. No other information was provided. The respondent, as set out in my judgment of 3 March 2025, had made an almost identical request for a postponement some 6

weeks earlier on 20 January 2025 which was refused by Employment Judge Keogh on 3 February 2025. No information was provided as to what attempts had been made to make alternative arrangements between 3 February 2025 when the postponement request was first refused and the date of the hearing on 3 March 2025.

5. In refusing the postponement request, I took into account the fact that, as at the morning of the hearing, the respondent had not filed any documents on which he sought to rely or provided a substantive defence to the claim. That remains the position.

9. I am satisfied on the basis of what is before me that there is no reasonable prospect of my original decision being varied or revoked. The application for reconsideration is therefore refused.

Date: 9 April 2025

Employment Judge Sarkis

JUDGMENT SENT TO THE PARTIES ON

23 May 2025

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FOR THE TRIBUNAL OFFICE