



EMPLOYMENT TRIBUNALS

Claimant

Mr A Sobratee

Respondent

Sheffield College

ORDER

1. Pursuant to Rule 70(1) of the Employment Tribunal Procedure Rules 2024, the Claimant's application for the judgment dated 30 June 2025 to be reconsidered is refused.

REASONS

1. The application does not identify any basis on which I consider it would be necessary in the interests of justice to reconsider the judgment. There is no reasonable prospect of the judgment being varied or revoked. The reconsideration application is therefore refused.
 - 1.1 I concluded that a fair hearing is no longer possible, for the reasons explained in the oral judgment and confirmed in the written reasons. The reconsideration application does not identify any basis for changing that view.
 - 1.2 Full compliance with Tribunal orders has not been achieved. No proper capacity assessment has been provided. The inadequacy of the explanation for the delay in obtaining the assessment was dealt with in the oral judgment and is confirmed in the written reasons. The Claimant's representative's repetition of the assertion that this was caused by genuine difficulties, including administrative delays at the GP surgery, does not change those conclusions.
 - 1.3 The Claimant's health conditions and caring responsibilities are noted. The impact of the decision on him was weighed carefully in the balance. However, no part of the explanation provided to the Tribunal was that delays were caused by the Claimant's health and caring responsibilities. The correspondence referred to in the written reasons indicates that responsibility for the delays rests with his representative, not him, as explained.
 - 1.4 The capacity evidence is not adequate, for the reasons explained in the oral judgment and written reasons.
 - 1.5 The reference to the Claimant's former representative is inapt. The Claimant was represented at the material time by his current representative. The fact that the failures appear substantially to be the fault of the representative was expressly considered in the original oral judgment and in the written reasons and weighed in the balance.

2. For all of these reasons, there is no reasonable prospect of the original decision being varied or revoked and the reconsideration application is refused.

Employment Judge Davies
18 July 2025