



# EMPLOYMENT TRIBUNALS

## Claimant

## Respondent

Ms N Glinski

v

AllPoints Fibre Networks Limited

## JUDGMENT ON APPLICATION FOR RECONSIDERATION

1. The Claimant's application dated 27 June 2025 for reconsideration of the judgment dated 26 July 2025 (uploaded on 7 July 2025) refusing her application for interim relief, is refused. There are no reasonable prospects of the judgment being varied or revoked.
2. The judgment is confirmed.

## REASONS

1. By rule 68 of the Employment Tribunal Procedure Rules 2024 ('the Procedure Rules') the Employment Tribunal may reconsider a judgment where it is necessary in the interests of justice to do so. On reconsideration, the judgment may be confirmed, varied or revoked.
2. An application for reconsideration must be presented in writing (and copied to all other parties) within 14 days of the date upon which the written record of the original decision was sent to the parties. In this case the written record was the judgment and reasons dated 26 July 2025 which was sent to the parties on 7 July 2025. The application was made in time.
3. Under rule 68 of the Procedure Rules, a judgment will only be reconsidered where it is necessary in the interests of justice to do so. This gives an Employment Tribunal a broad discretion to determine whether reconsideration is appropriate in the circumstances. The discretion must be exercised judicially. This means having regard not only to the interests of the party seeking the reconsideration but also the interests of the other party to the litigation and to the public interest requirement that there should, so far as possible, be finality of litigation.
4. The procedure upon a reconsideration application is for the Employment Judge that heard the case to consider the application and determine if there are reasonable prospects of the judgment being varied or revoked. This is a

reviewing function. Reconsideration cannot be ordered simply because the applicant disagrees with the judgment.

5. If the Judge considers that there is no such reasonable prospect, then the application shall be refused. Otherwise, the Judge shall send a notice to the parties setting a time limit for any response to the application by the other party and seeking the views of the parties on whether the application can be determined without a hearing (rule 70 of the Rules).
6. My role, when considering the application on the papers initially, is therefore to operate as a filter to determine whether there is a reasonable prospect of the judgment being varied or revoked were the matter to be the subject of a reconsideration hearing.
7. Having considered the application, I am satisfied that there is no reasonable prospect of the judgment being revoked or varied.
8. The core of the application for reconsideration is that, as interim relief has been refused, the Claimant has been left in an extremely difficult position financially. She has sole responsibility for her 14 year old son and is not in employment. She does not know how her and her minor child will be supported whilst the claims are considered substantively by the Tribunal. The Claimant asserts that she was not asked questions about her personal circumstances at the interim relief hearing. She also continues, in the application, to dispute the allegations levelled against her by the Respondent which led to her dismissal.
9. As explained at the interim relief hearing, the sole question in an application for interim relief is whether it is likely that, at a final hearing, the reason or principal reason for the Claimant's dismissal will be found to have been the making of a protected disclosure (s.129(1) Employment Rights Act 1996). The Tribunal must decide whether the Claimant has a 'pretty good chance of success' which is a significantly higher degree of likelihood than considering whether it is more likely than not that the claim will succeed (the standard of proof which applies at the final hearing).
10. The financial position of the Claimant, and the difficulties caused to her and her child as a result of the dismissal, are not matters which the Tribunal can take into account when determining an application for interim relief.
11. The Judge at the interim relief hearing was not satisfied that the Claimant had a pretty good chance of success in respect of her claim for automatic unfair dismissal. The Claimant has not identified any grounds in her application for reconsideration which could lead to that judgment being varied or revoked. She continues to deny the alleged misconduct but the question of whether she was in fact dismissed for making a protected disclosure will be determined at a final hearing.
12. Accordingly, the Claimant's application for reconsideration fails and is dismissed.

Approved by:

Employment Judge Smeaton

Date: 25 July 2025

Judgment sent to the parties on  
08/08/2025

For the Tribunal office