EMPLOYMENT TRIBUNALS

Claimant: Mr Frank Akoto

Respondent: Urbanbubble Ltd

RECONSIDERATION JUDGMENT

1. The Claimant's application dated 29 October 2025 for reconsideration of the judgment sent on 28 February 2025 is refused. The Employment Tribunal has no jurisdiction to reconsider its judgment.

REASONS

1. I have undertaken preliminary consideration of the Claimant's application for reconsideration. The Claimant's application appears to be based upon the Claimant's assertion that he wrote to the Employment Tribunal to inform them that he was not able to attend the Employment Tribunal hearing listed for 13-14 February 2025 before the hearing commenced and that correspondence did not come to the attention of the Employment Tribunal before they made their decision to dismiss the Claimant's claim for non-attendance.

2. The Claimant made his application approximately 8 months after he received the judgment and 7 ½ months out of time. The Respondent has responded to the Claimant's application and contended that the Claimant told the Respondent that he would make an application to the Employment Tribunal to reconsider on 13 March 2025 but did not do so. The Employment Tribunal notes that the Claimant had solicitors by April 2025 when he lodged his appeal to the EAT. However, it isn't until 8 August 2025 on the Claimant's own case, that he tried to apply for a reconsideration, which the Claimant states was rerouted to Manchester Employment Tribunals. It isn't until 29 October 2025 that the Claimant makes an application for reconsideration to the Watford Employment Tribunal. There is no reasonable explanation for any of this delay.

The Law

3. An application for reconsideration is an exception to the general principle

that (subject to 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 68 of The Employment Tribunal Procedure Rules 2024 ('ETPR')).

4. Rule 69 ETPR states, "*Except where it is made in the course of a hearing, an application for reconsideration must be made in writing setting out why reconsideration is necessary and must be sent to the Tribunal within 14 days of the later of—*
(a) the date on which the written record of the judgment sought to be reconsidered was sent to the parties, or
(b) the date that the written reasons were sent, if these were sent separately."

5. Rule 70(2) ETPR empowers me to refuse the application based on preliminary consideration if there is no reasonable prospect of the original decision being varied or revoked.

6. The importance of finality was expressed succinctly by Mrs Justice Simler sitting as President in the EAT decision of **Liddington v 2Gether NHS Foundation Trust EAT/0002/16.** Simler P said in paragraph 34 that:

> **"a request for reconsideration is not an opportunity for a party to seek to re-litigate matters that have already been litigated, or to reargue matters in a different way or by adopting points previously omitted. There is an underlying public policy principle in all judicial proceedings that there should be finality in litigation, and reconsideration applications are a limited exception to that rule. They are not a means by which to have a second bite at the cherry, nor are they intended to provide parties with the opportunity of a rehearing at which the same evidence and the same arguments can be rehearsed but with different emphasis or additional evidence that was previously available being tendered."**

7. In common with all powers under the ETPR, preliminary consideration under rule 70(2) must be conducted in accordance with the overriding objective as set out in rule 3, namely, to deal with cases fairly and justly. This includes dealing with cases in ways which are proportionate to the complexity and importance of the issues and avoiding delay. Achieving finality in litigation is part of a fair and just adjudication.

Conclusion

8. The Claimant's application for an extension of time to have the judgment reconsidered is refused under rules 69 and 70(2). The application was made more than 14 days after the judgment was sent, there is no reasonable explanation provided for the delays, and it is not in the interests of justice to extend time. The Employment Tribunal has searched its email system and contacted Michael De Rosa. Having checked the system, there is no record of any email from the Claimant received by the Employment Tribunal on 13 February 2025, the first day of the listed hearing. There is an email from the Claimant at 7:17 on 14 February 2025 that does not contain an email dated 13 February 2025. In that email dated 14 February 2025, the Claimant says that he will not be able to attend the Employment Tribunal

because he does not want to lose an opportunity for a job and that there was no reception at the workplace he was at. This is the only correspondence the Employment Tribunal has from the Claimant explaining his absence from the hearing at the time. The Claimant had been sent the notice of hearing for 13 & 14 February 2025 by letter dated 13 December 2024. For these reasons, the Claimant's application is refused.

Approved by:

Employment Judge Young

DATED 26 January 2026

JUDGMENT AND REASONS SENT TO THE PARTIES ON

29 January 2026

FOR THE TRIBUNAL OFFICE