



EMPLOYMENT TRIBUNALS

Claimant: Mr A Moleta
Respondent: Littlefair Care Home Limited

JUDGMENT

The respondent's application dated 1 March 2026 for reconsideration of the judgment sent to the parties on 16 February 2026 is refused.

REASONS

1. This judgment addresses an application by the respondent (***the Application***) for reconsideration of the Tribunal's reserved judgment sent to the parties on 16 February 2026 (***the Judgment***), specifically the part of paragraph 4 of the Judgment underlined below:

"4. The complaint of unauthorised deductions from wages is well-founded in part. The Respondent made unauthorised deductions from the Claimant's wages in the period 1 November 2019 to 16 April 2020 in respect of both salary and the lump sum payment contractually due to him, but not in respect of any entitlement to shares."

2. Although the Application does not specifically mention paragraph 4 of the Judgment, it does refer to paragraphs 155(b) and 159 of the reasons that underpin it. It is an application properly made under Rule 69, and it was filed within the 14-day period provided for in that Rule.
3. Rule 70 sets out the relevant process for reconsideration. It falls to me as the Employment Judge on the original panel to consider whether Rule 70(2) applies:

"If the Tribunal considers that there is no reasonable prospect of the judgment being varied or revoked (including, unless there are special reasons, where substantially the same application has already been made and refused), the application must be refused and the Tribunal must inform the parties of the refusal."

4. I have considered the Application and the documents referred to therein. In my judgement, there is no reasonable prospect of the original decision

being varied or revoked. This is for the following reasons.

5. I do not consider there is any reasonable prospect of the respondent successfully persuading the Tribunal that EJ Powell did not find the claimant was entitled to the lump sum payment of £15,500 in his judgment. Such a finding is, at its clearest, in paragraph 75 of EJ Powell's judgment.
6. In any event, even if there was no finding to that effect made by EJ Powell, I do not consider there is any reasonable prospect of the respondent successfully persuading the Tribunal that the lump sum payment was subject to any condition. Such a condition is not recorded in KM's written notes of the 17 September 2019 meeting (page 73 of the full PDF scan) nor in any typed-up version of those notes in the papers. The alleged condition upon which the respondent seeks to rely appears in a document **[R1118-1119]** that seemingly post-dates the 17 September 2019 meeting (by its references in the past tense to what "*was agreed at the meeting*") and, on its face, is attached to consideration by Mr Sherard of re-negotiated terms in relation to the claimant's work for Mr Sherard on probate matters. It is not, as the respondent submits, "*on the face of the very document that the Tribunal relied upon*".
7. The respondent also raises a further or alternative ground, which is that the reasons (paragraph 155) record "*It is common ground that the Claimant was not paid his salary during his period of employment nor was he paid the lump sum due*", whereas the respondent does not accept that it is common ground that no payments were made. The respondent notes that a payment of £3,000 was made as a goodwill gesture in around 14 January 2020. The existence of this payment does not undermine what is said in paragraph 155. However, for the avoidance of doubt, this payment is a matter that the respondent is entitled to raise when the Tribunal comes to quantify the financial award that is due to the claimant in respect of the complaints upon which he succeeded and can properly be considered at that stage.
8. The Application is therefore refused.

Date: **4 March 2026**

Approved by:

Employment Judge Abbott