



EMPLOYMENT TRIBUNALS

Claimant: Mr S Hussey

Respondent: Signature Medical Limited

UPON APPLICATION made by the Claimant to reconsider the Judgment sent to the parties on 16 October 2025 (the “Judgment”), under rule 69 of the Employment Tribunals Rules of Procedure 2024 (“**Rules**”).

JUDGMENT

The Claimant’s application for reconsideration is refused as there was a reasonable prospect of the decisions being varied or revoked.

REASONS

Background

1. A hearing took place on the 9 July 2025 followed by deliberations in chambers on the 9 September 2025. A reserved Judgment and Reasons dismissing the claimant’s claim was sent to the parties on the 16 October 2025.
2. On the 22 November 2025 the claimant applied for a reconsideration on the basis that post employment the respondent continued to benefit from the relationships that were sourced by the claimant and other arguments that had been explored and decided in the Judgment.

The law

68. Principles

- (1) The Tribunal may, either on its own initiative (which may reflect a request from the Employment Appeal Tribunal) or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so.

- (2) A judgment under reconsideration may be confirmed, varied or revoked.
 - (3) If the judgment under reconsideration is revoked the Tribunal may take the decision again. In doing so, the Tribunal is not required to come to the same conclusion.
3. Rule 68 provides that reconsideration of a judgment will take place where the Employment Tribunal considers that it is necessary in the interests of justice to do so.

69. Application for reconsideration

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.
4. Rule 69 provides that applications for reconsiderations of judgments should be presented in writing within 14 days of the date on which the written record of the judgment was sent to the parties and should set out why reconsideration is necessary. In this case, the Claimant submitted his application outside the stipulated time, with no explanation as to why.

70. Process for reconsideration

- (1) The Tribunal must consider any application made under rule 69 (application for reconsideration).
 - (2) 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.
5. I find there is no reasonable prospect of the Judgment being varied or revoked in the claimant's case, and it is not in the interests of justice to list the claimant's application for a reconsideration hearing.
6. A judgement can be reconsidered where it is *necessary in the interests of justice* to do. There is an underlying public policy principle in all proceedings of a judicial nature that there should be finality in litigation and reconsiderations are a limited exception to the general rule that judgements should not be reopened and relitigated. It is not a method by which a disappointed party to proceedings can get a second bite of the cherry. In *Stevenson v Golden Wonder Ltd 1977 IRLR 474, EAT*, Lord McDonald said review provisions that they were 'not intended to provide parties with the opportunity of a rehearing at which the same evidence can be rehearsed with different emphasis, or further evidence adduced which was available before'.

7. In *AIC Ltd v The Federal Airports Authority of Nigeria [2020] EWCA Civ 1585* the Court of Appeal provided guidance on the correct approach the courts should take when determining an application to reconsider. Coulson LJ held that there were two distinct questions which the court must ask itself.
 - (1) The first was whether the application to reconsider should be entertained in principle; if the court answered the question in the negative, that was the end of the matter. Coulson LJ provided further guidance on first question when he said: ‘In my view, the court should be looking for a sufficiently compelling reason that may justify reconsideration; something which might outweigh the importance of finality and justify the opening up of a question or questions which, following the pronouncement of the order in open court, appeared to have been finally answered...the court should instinctively be looking for something which has been missed or otherwise gone awry: a mistake or a fundamental misapprehension; a fundamental piece of evidence or a point of law that was overlooked. The court’s undoubted jurisdiction to reconsider its earlier order cannot be permitted to become a gateway for a second round of wide-ranging debate.’
8. When considering an application to reconsider, the courts need to ensure that their jurisdiction must, as Coulson LJ put it, be ‘carefully patrolled’ so that the principle of finality in litigation is not undermined.

Conclusion

9. Mr Hussey’s application has not got over the first hurdle of providing a sufficiently compelling reason to justify reconsideration. Litigation requires finality and it is not in the interests of justice for the Tribunal to list this matter for a reconsideration hearing, and the claimant’s application for a reconsideration is dismissed on the basis that there is no reasonable prospect of the original decision being varied or revoked.
10. In *Outasight VB Ltd v Brown* 2015 ICR D11, EAT, HHJ Eady QC (as she then was) indicated that the wording “*necessary in the interests of justice*” in Rule 70 allows employment tribunals a broad discretion to determine whether reconsideration of a judgment is appropriate in the circumstances. She confirmed that that discretion must be exercised judicially, “*which means having regard not only to the interests of the party seeking the review or reconsideration, but also to 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*”.
11. In conclusion, having reviewed the Orders in the context of the Claimant’s reconsideration application, I did not consider that there was a reasonable prospect of the Judgment being varied or revoked, and I therefore refuse the application.

Employment Judge Shotter
Authorised for issue on
22 January 2026

Case Number: 6020824/2024

Sent to the parties on:

20 April 2026

For the Tribunal Office:

.....