



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Sajad Al-Zaidi

**Respondent:** Homeshield England Ltd

## RECONSIDERATION JUDGMENT

1. The Respondent's applications dated 2 February 10:37, 2 February at 15:17 & 12 February 2026 for reconsideration of the oral judgment given on 2 February 2026 and the written judgment sent on 18 February 2026 are refused.

### REASONS

2. I have undertaken preliminary consideration of the Respondent's applications for reconsideration. The Respondent's applications are based on not having provided a response in time in the proper form; they requested an extension of time to present an ET3, which was not presented until 12 February 2026, arguing that the Respondent's defence was meritorious.

#### **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 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 Respondent's arguments for reconsideration come too late. The Respondent had ample opportunity to make an application for an extension of time following receipt of the Employment Tribunal's correspondence dated 24 July 2025, explaining that their response was rejected. The Respondent did not present an ET3 until after judgment had been issued. The Respondent attended judgment and so heard that the Employment Tribunal was in possession of the Claimant's contract of employment and therefore determined that Claimant's employment status. Reconsideration is not the opportunity to argue matters not put before the Employment Tribunal, and an opportunity for another bite of the cherry. Furthermore, the Respondent is attempting to relitigate matters that have already been properly determined before the Employment Tribunal, and having regard to the overriding objective, there must be finality. For these reasons, the Respondent's application is refused.

Approved by:  
Employment Judge Young

DATED 19 March 2026

JUDGMENT AND REASONS SENT TO THE PARTIES ON  
4 June 2026

FOR THE TRIBUNAL OFFICE