



# EMPLOYMENT TRIBUNALS

**Claimant:** Roy Barber

**Respondent:** DWP

**Heard at:** Birmingham

**On:** 3 May 2026

**Before:** Employment Judge Wedderspoon

## JUDGMENT ON RECONSIDERATION APPLICATION

1. The claimant's application dated 13 March 2026 to reconsider the judgment dated 11 March 2026 is refused.

## REASONS

1. The Tribunal apologises to the parties for the delay in providing this Judgment. The application was received the day before a period of annual leave commencing on 14 March 2026 and the Judge has been out of the region from 7 April 2026 to 3 May 2026.
2. By Judgment dated 11 March 2026 the Tribunal refused the claimant's application to amend his claim to add claims of section 13 and section 15 of the Equality Act 2010 relying upon the protected characteristic of disability. The reasons for refusing the claimant's amendment application are set out in the Judgment.
3. By application dated 13 March 2026 the claimant sought a reconsideration of the Judgment contending that the Tribunal made errors in construing the claim form; misapplied the case of Selkent and failed to apply the Equal Treatment Bench Book.

The “reconsideration” Rules

4. Pursuant to section 68 (1) of the Employment Tribunal Procedure Rules 2024 (“the Rules”) the Tribunal may on the application of a party reconsider any judgment where it is necessary in the interests of justice to do so.
5. Pursuant to Rule 68 (2) of the Rules a judgment under reconsideration may be confirmed, varied or revoked.
6. Pursuant to Rule 68 (3) of the Rules 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.
7. The procedure for an application of reconsideration is set out at rule 69 of the rules and it must be made in writing setting out why a reconsideration is necessary and must be sent to the tribunal no later than 14 days of the later (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.
8. Pursuant to Rule 70, the Tribunal must consider any application made under rule 69 and 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. If the application has not been refused the Tribunal must send a notice to the parties specifying the period by which any written representations in respect of the application must be received by the Tribunal and seeking the views of the parties on whether the application can be determined without a hearing.

Determination

9. The claimant has made his application for reconsideration within the correct time limits.
10. The Tribunal has considered the claimant’s lengthy application for reconsideration of the judgement to refuse his application to amend his claim and refuses to reconsider its judgment.
11. The Tribunal has reached this conclusion having determined that the reconsideration application has no reasonable prospect of success pursuant to rule 70 (2) of the 2024 rules and in accordance with the principle of finality of litigation (**Outsight VB Limited v Brown 2013 ICR 111**).
12. The reconsideration procedure is not there to act as a quasi-appeal on a point of law (**Trimble v Supertravel Limited 1982 IRLR 451**).
13. The Tribunal is satisfied that there was no procedural error in this case. Further, the applicable law was applied correctly. Both parties had a fair opportunity to present/defend the application to amend. The Tribunal concludes the claimant is simply seeking to re-argue the application which was refused on the day for the reasons given.

14. There is no reasonable prospect of the judgement being varied or revoked. Accordingly the application for a reconsideration is refused and stands dismissed.

Employment Judge  
Wedderspoon

Date: 3 May 2026

Sent to the parties on:

05/05/2026