



EMPLOYMENT TRIBUNALS

Claimant: Mr Khalid Manzoor

Respondent: Engage Education (R1)
Engage Education Benefits Limited (R2),
Engage Partners Limited (R3)
Engage Education Services (R4)

Heard at: London South Employment Tribunal via CVP

On: 19 May 2026

Case number: 2307645/2024

Before: Employment Judge M Da Costa sitting alone

ATTENDANCE AND REPRESENTATION

None. This is a decision in chambers following a paper application by the claimant determined without a hearing. The application was for a reconsideration following a judgment dated 21 May 2026 and promulgated on 28 May 2026. The judgment followed a hearing by video link that was held on 19 May 2026 where the claimant did not attend.

RECONSIDERATION JUDGMENT DECISION

The decision in summary

1. The claimant's application for reconsideration fails and is refused. This is because his reconsideration grounds provide no basis for any error or misdirection in my

judgment and the information provided in his reconsideration grounds (a) could have been provided by him at the time of the hearing and (b) in any event provide no factual basis for a different decision to be reached. Therefore, it would not be in the interests of justice in the meaning of rule 68(1) of the Employment Tribunal Procedure Rules 2024, nor in accordance with the overriding objective in rule 3 of those Rules, to reconsider.

Background

2. By an ET1 form presented on 09 October 2024, the claimant made a claim for discrimination on the grounds of religion or belief, and race. In the remedy part of the ET1 he ticked the box for “compensation only” but gave no details of quantum in the box at paragraph 9.2.
3. The case was listed for a preliminary hearing on 19 May 2026.
4. The claimant did not attend, having sent emails at 19:23 and 19:47 on the previous evening saying that he would not be attending, due to being out of the country with limited access to emails and internet. In the later email he said he had been living in Pakistan since 28 February 2026 due to personal family and health issues and mentioned that he had severe depression.
5. The claimant’s emails of the evening of 18 May 2026 amounted to an application for a postponement. The respondent resisted that application orally at the hearing.
6. Having considered the application for a postponement and the respondent’s objection, I refused the application for a postponement. This is because in my judgment the criteria in rule 32(2) of the Employment Tribunal Procedure Rules 2024 were not met.
7. The respondent then made an application to strike out the claimant’s case in its entirety pursuant to rule 38(1)(a) and (b) of the Employment Tribunal Procedure Rules 2024. The aspect of rule 38(1)(a) relied on was that the claimant’s case had no reasonable prospect of success. The aspect of rule 38(1)(b) relied on was that claimant’s conduct of the case had been unreasonable.
8. Having heard the representations of the respondent as to strike out, I gave an oral decision with oral reasons.
9. The judgment was that the claimant’s claims for direct discrimination on the grounds of race and religion or belief contrary to section 13 of the Equality Act 2010 were struck out in their entirety pursuant to rules 38(1)(a), (b) and (d) of the Employment Tribunal Procedure Rules 2024. This is because they had no reasonable prospect of success, the manner in which the claimant had conducted them had been unreasonable, and the claimant had not over the past year actively pursued them.
10. On 28 May 2026 the claimant wrote to the Tribunal requesting a reconsideration.

REASONS FOR THE DECISION

The relevant law

11. By rule 68(1) of the Employment Tribunal Procedure Rules 2024 (“the Rules”), a Tribunal may on the application of a party reconsider any judgment where it is necessary in the interests of justice to do so. By rule 68(2) of those Rules, a judgment under reconsideration may be confirmed, varied or revoked.
12. By rule 69 of the Rules, an application for reconsideration must be made in writing setting out why reconsideration is necessary and must be sent to the Tribunal no later than 14 days of the later of:
 - (a) the date on which the written judgment sought to be reconsidered was sent to the parties,
 - (b) the date that any written summary reasons were sent, if these were sent separately from the judgment, or
 - (c) the date that any written full reasons were sent, if these were sent separately from the judgment.
13. There is no suggestion that the claimant’s application for reconsideration is out of time.
14. By rule 70(1) of the Rules, the Tribunal must consider any application made under rule 69. By rule 70(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. Procedural measures follow in rule 70(3) to (5) if the application is not refused under rule 70(2).
15. A key point is that the obligation to consider any application under rule 70(1) only arises if the “necessary in the interests of justice to do so” hurdle in rule 68(1) has been cleared. If that hurdle is not cleared, the judgment is not “under reconsideration” for the purposes of rule 68(2).

The claimant’s grounds for reconsideration

16. The claimant’s grounds for reconsideration were in summary the following:
 - (a) He had been suffering from serious mental health due to his employment issues and his court cases;
 - (b) He is isolated and lives on his own;
 - (c) He had tried to seek legal help and to engage constructively and actively with the Engage Partners Personnel;

- (d) He had never heard from ACAS with regards to any settlement offer being made by Engage Partners;
 - (e) He had record of email from Mr Joseph Canham Raffell that he would be open to negotiate outside the court and as a goodwill gesture, which he agreed to in good faith;
 - (f) He had all the written evidence that his reference to the Quest Academy was not provided by Engage Education. He had evidence that his character was questioned by Engage Personnel because of his faith and that according to his employment contract with Engage Education which commenced on 25 September 2023 and ended on 07 December 2024, Engage Education did not pay him close to £2000 gross;
 - (g) He was attaching a letter from his GP which, he asserted, clearly stated that he had been in bad health for a very long time. But despite this and despite the fact that he had very little knowledge about employment tribunal cases, he had tried his best to keep up with the paper work;
 - (h) His mother had suffered from cancer over the past 5 to 6 years and therefore he had been travelling to Pakistan frequently. She died in November 2024. He was out of the UK between 22nd December 2025 and 22nd January 2026.
17. The letter that the claimant referred to at paragraph 16(g) above was from a doctor in the Orpington Health and Wellbeing Centre. It was dated 19 February 2026 and stated as follows:

"I am writing as one of the team of doctors involved with Mr Manzoor's care. He joined the practice in Autumn 2023 and has since seen us with depressed mood and stress multiple times, including in our consultation today.

He currently has a PHQ9 score of 15, which indicates moderately severe depression and has some fleeting thoughts of suicide.

He is taking three medications for mental health that he was prescribed in Pakistan, and I have today referred him to our mental health team so that they will be able to recommend an equivalent and provide some support for Mr Manzoor. Previously he has been prescribed both sertraline and citalopram for depression and anxiety. He has previously been with Bromley Talking Therapies and has contacted other mental health agencies as well."

Application of the Employment Tribunal Procedure Rules 2024 to the claimant's grounds for reconsideration

A My decision to refuse a postponement on 19 May 2026

18. As to my decision to refuse a postponement on the basis of the claimant's emails of 19:23 and 19:47 on the evening preceding the hearing of 19 May saying that he would not be attending, I see nothing in his reconsideration grounds or in the GP letter of 19 February 2026 to justify altering my previous decision. The GP letter proves that the claimant was in the UK on 19 February 2026 and tends to suggest that he was based in the UK as opposed to in Pakistan from that date onwards,

which is inconsistent with what he had told the Tribunal in the email the night before the hearing. Whilst the letter proves that he did have depression, was taking medications for the same and had received counselling, the medical evidence is scant, and also very generalised in nature. It is not sufficient to prove that he could not have been at the hearing of 19 May 2026. A PHQ score is self-reported and does not serve as a stand-alone diagnosis (being routinely used as a comparator to gauge anxiety before and after treatment, typically counselling). Anxiety and depression, whilst I sympathise with the claimant, are not in and of themselves justification for not attending a hearing, particularly via video medium which was the medium for the 19 May 2026 hearing. The claimant said in the email the night before 19 May 2026 that he was unable to access digital technology. This is not a sufficient excuse because the claimant had notice of the hearing and it was his responsibility to ensure he had access to such technology beforehand.

19. Whilst I also sympathise greatly with the claimant's news about the death of his mother, again I cannot see that this justifies his non-attendance at the hearing of 19 May 2026, because the death occurred on the claimant's own admission some 15 months before the hearing.
20. The claimant gave no reasons in his reconsideration grounds for why he had to be out of the UK between 22nd December 2025 and 22nd January 2026. In any event, the hearing of 19 May 2026 was almost 4 months after that reported absence. If his reason for being absent between those dates was for family problems and he was able to be back in the UK after that as his GP letter suggests, this is inconsistent with him having told the Tribunal on the night before the hearing that he had been living in Pakistan since 28 February 2026 due to personal family and health issues.
21. In summary as to the postponement rejection therefore, the claimant's grounds for reconsideration present no mitigating circumstances or new information that justify an inability to attend. For this reason, it cannot be "in the interests of justice" to reconsider that decision pursuant to rule 68(1) of the Employment Tribunal Procedure Rules 2024 ("the Rules"), nor is such a reconsideration in accordance with the overriding objective in rule 3 of those Rules.

B My decision to strike out the claimant's claim in its entirety on 19 May 2026

22. The particulars given in the claimant's ET1 claim form were very limited indeed. They were that whilst working for Engage Education, he secured an offer from The Quest Academy, and that the respondent allegedly failed to provide a reference to Quest following which Quest withdrew their offer of employment. The assertion was that the decision to fail to provide a reference "appears to have been" informed by his race and perceived religion, and there was a bare assertion that conversations took place between Engage and Quest where his race and personal beliefs were discussed. On the other side, the respondent at the hearing gave cogent reasons indicating that these assertions were not made out. These were that:

- (a) The claimant was working for the respondent between 2015-2017 and 2023-2025 as a supply teacher and there were no purported issues aside from on 2 occasions where the claimant applied for full time jobs at schools where he had been placed and following lack of success made claims against those schools directly (but not against the respondent in respect of those schools);
 - (b) The respondent was emailed on 14 May 2024 by Quest asking for a reference and would have provided one within their standard time frame commitment of up to 28 days, but for the claimant telling them next day that the offer had been retracted so that a reference was not necessary. The claimant told them that he had received the letter on 15 May retracting the offer;
 - (c) The standard policy of the respondent is to provide factual references only, providing nothing more than job title and dates, unless safeguarding issues had to be notified under the Childrens Act 1989. No safeguarding issues applied to the claimant;
 - (d) No conversations took place with entities requesting references because that is not permitted under the respondent's policy;
 - (e) The respondent has never been supplied by the claimant with the letter of 15 May 2024 and does not know the circumstances under which Quest would or might have retracted an employment offer because Quest did not interact with the respondent, the respondent being a third party without any involvement or interest in the claimant's dispute with Quest.
23. Since the ET1 claim form, the claimant has never at any stage in the space of some 18 months provided a single piece of further evidence or information. It was on this basis that at the hearing of 19 May 2026 I accepted what was put forwards by the respondent and concluded that the claimant had wholly failed to particularise any act that was capable of showing detriment at the hands of Quest or of the respondents connected in any way to race, religion or belief. The claimant's grounds of reconsideration contain no new information and no evidence. They are simply a bare assertion that evidence to support his claim exists. This is starkly at odds with his failure to provide any detailed particulars whatsoever to the respondents or the Tribunal at any time including to date. For this reason, there is no basis at all for me to reconsider my conclusion of 19 May 2026 that his claims have no prospect of success in the meaning of rule 38(1)(a).
24. The claimant's reconsideration grounds suggest on the one hand that he was unable to obtain sufficient help to progress his claim due to illness, isolation and lack of legal knowledge, and on the other hand assert that he had all the evidence he needed to progress it. These two positions are wholly contradictory and inconsistent. If he had all the evidence that he needed, there would be no reason why he could not have provided it. None of this purported evidence has ever at any time been provided to the Tribunal or to the respondent. In the same vein, the suggestion in his reconsideration grounds that he was awaiting progress in a settlement discussion is the first that the Tribunal has heard of the matter, and no evidence has been provided. In any event, the existence of settlement discussions would not have absolved the claimant of the need to progress and prepare his claim. For these reasons, there is no basis at all for me to reconsider my conclusion of 19 May 2026 that the claimant had wholly failed to actively pursue his claim

which amounted to unreasonable behaviour in the meaning of rule 38(1)(b) and a breach of rule 38(1)(d).

25. The claimant's reconsideration ground that he had never heard from ACAS with regards to any settlement offer being made by Engage Partners, is without foundation. There are on the electronic file ACAS conciliation certificates in respect of all of the 4 respondents including Engage Partners Ltd. These indicate that efforts to settle with all 4 respondents were attempted and failed. That is the reason why the claimant then launched his claim in the Tribunal. This ground therefore provides no basis for me to reconsider my decision.
26. For all the reasons given above, the claimant's application for a reconsideration fails and is dismissed. This is because his reconsideration grounds provide no basis for reconsideration. Therefore, it would not be in the interests of justice in the meaning of rule 68(1) of the Employment Tribunal Procedure Rules 2024, nor in accordance with the overriding objective in rule 3 of those Rules, to reconsider.

Approved By:

Employment Judge M Da Costa
Dated: 08 July 2026

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