



EMPLOYMENT TRIBUNALS

Claimant: Mr J Lauritzen

Respondent: Moneyplus Group Limited

UPON APPLICATION made by letter dated 10 June 2026 to reconsider the judgment dated 21 April 2026 and sent to the parties on 29 May 2026 under rule 69 of the Employment Tribunal Procedure Rules 2024, and without a hearing,

JUDGMENT

The application for reconsideration is refused on the grounds that there is no reasonable prospect of the judgment being varied or revoked.

REASONS

1. I have considered the claimant's application for reconsideration of the judgment refusing his application for interim relief.

The Law

2. 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 The Employment Tribunal Procedure Rules 2024).

3. Rule 70(2) of the 2024 Rules requires me to refuse the application if there is no reasonable prospect of the judgment being varied or revoked.

4. In common with all powers under the 2024 Rules, consideration under rule 70(2) must be conducted in accordance with the overriding objective which appears 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.

5. Achieving finality in litigation is part of a fair and just adjudication. In the context of an application for interim relief, this is finality in relation to that application. Failure of an interim relief application does not prevent the claimant from continuing with their case to a final hearing.

6. An application for reconsideration of a judgment refusing interim relief must have regard to the nature of the exercise which must be carried out by a judge deciding whether or not to grant interim relief.

7. A judge considering an application for interim relief is carrying out an expeditious summary assessment of the prospects of success based on the material which has been deployed at short notice: **Al Qasimi v Robinson EAT/0283/17**. The EAT said in **Wollenberg v Global Gaming Ventures (Leeds) Ltd EAT/0053/18**, "Such hearings are intended to be short. They are, as the cases make plain, intended to be broad assessments by an employment judge who cannot be expected to grapple with vast quantities of material."

The application

8. The claimant applies, by a 10 page application sent on 10 June 2026, for reconsideration of the judgment refusing an application for interim relief. The judgment was given orally at the hearing on 20 April 2026 and written reasons provided, at the request of the claimant, with the judgment, sent to the parties on 29 May 2026.

9. The claimant applies on four grounds:

9.1. The Tribunal applied too narrow a construction of section 43B(1) ERA to the email of 19 January 2026 (ground 1).

9.2. The Tribunal treated the emails of 21 and 22 January 2026 as a new claim requiring amendment, rather than as particulars of the protected disclosure complaint already before it, in circumstances where the claimant was a litigant in person and the respondent was represented by counsel (ground 2).

9.3. The Tribunal did not assess the last straw and cumulative constructive dismissal case on the correct footing (ground 3).

9.4. The Tribunal decided causation on an absence of evidence basis without engaging with the documents said to evidence motive, and without addressing **Royal Mail Group Ltd v Jhuti** (ground 4).

10. Each of these grounds is explained in more detail in the written application.

Conclusions on the application for reconsideration

11. I will comment on the individual grounds relied on but begin with a general comment on the application.

12. I do not consider that the claimant's application takes account of the broad, summary and expeditious nature of the exercise required to be conducted when dealing with an application for interim relief.

13. As I commented in paragraph 5 of the written reasons, a decision not to grant an interim relief order is not an indication as to whether or not, after hearing all the evidence, the Tribunal will conclude that the claimant made protected disclosures, that he was constructively dismissed and that the reason or principal reason for the constructive dismissal was that he made protected disclosures. It is entirely possible that someone who fails in an interim relief application may succeed in their claim at a final hearing.

14. Many of the points the claimant makes in his application are ones which may be properly considered at a final hearing of his claims. However, they do not affect the conclusions of the summary assessment that the claimant did not have a pretty good chance of success in all the necessary elements of a s.103A Employment Rights Act 1996 unfair dismissal claim. I do not consider that any of the points made affect my decision to refuse the application for interim relief and the reasons for this decision which were set out in some detail in the 14 page judgment and reasons.

15. The application for interim relief and the decision on that application were made before the Presidential Guidance on such applications was issued, which had effect from 22 June 2026. Reference to that guidance, which is based on the relevant legal provisions and case law, may help the claimant to understand further why his application for interim relief was refused and why this application for reconsideration of that decision is also refused.

16. The claimant will note from the presidential guidance that, from 22 June 2026, applications for interim relief will have a hearing time (including reading time for the judge) of no more than three hours, other than in exceptional circumstances. This hearing had been listed for 3 hours but, as noted in paragraph 8 of my reasons, the hearing lasted longer than this allocation. Although, as noted, I did not read all the documents provided, I read more material than I would have been expected to read had this guidance been in force at the time.

Ground 1 – construction of s.43B(1) and the 19 January email

17. Whilst these are points that the claimant may make at a final hearing about the construction of section 43B(1) and the 19 January email, the position is not so clear that there is any reasonable prospect of me concluding that the claimant has a pretty good chance of success in establishing that this email was a protected disclosure. Even if there was, this would have no impact on the decision to refuse the application for interim relief unless there was a reasonable prospect of me changing what I would have decided on constructive dismissal and causation.

Ground 2 – the 21 and 22 January emails

18. I decided that reliance on these emails as protected disclosures would require an amendment to the claim. I was not dealing with an application to amend. As I noted in paragraph 59, if, following the interim relief hearing, the claimant made an application to amend his claim, that would be dealt with in the normal way as part of case management of the case. Many of the points made by the claimant under this ground can be taken into account if and when an application to amend the claim is made.

19. I consider there is no reasonable prospect of me varying the part of my decision that these were not pleaded protected disclosures and that I had to consider the

case as pleaded, for the purposes of deciding the interim relief application. Even if there was, this would have no impact on the decision to refuse the application for interim relief unless there was a reasonable prospect of me changing what I would have decided on constructive dismissal and causation.

Ground 3 – last straw and cumulative constructive dismissal case

20. Whilst these are points that the claimant may make at a final hearing, the position is not so clear that there is any reasonable prospect of me concluding that the claimant has a pretty good chance of success in establishing that he was constructively dismissed.

21. The Presidential Guidance makes the practical observation that, the more hurdles the claimant faces in order to succeed with the claim, the more difficult it will be to persuade the tribunal that there is a pretty good chance of success. An example given is where there is a dispute about whether the claimant's resignation should be construed as a dismissal.

Ground 4 – causation: the motive documents and Jhuti

22. As explained in the written reasons, I read the documents I considered most likely to assist me to make the required assessment. My reading included some, but not all, of the documents relating to events after the claimant's resignation.

23. I do not recall the claimant making any reference to **Jhuti** in his written or oral submissions.

24. The claimant may make the arguments he makes about motivation at a final hearing. Careful findings of fact will be required at the final hearing before the Tribunal can reach a conclusion as to whether, if the claimant made protected disclosures and was constructively dismissed, the reason or principal reason for the breach(es) of contract was the making of protected disclosures. If the claimant makes an argument that this is in some way a **Jhuti** case, the Tribunal will consider that argument and the relevance of that case to this situation. The information relevant to causation is not so clear at this stage that there is any reasonable prospect of me concluding that the claimant has a pretty good chance in succeeding on causation if the other necessary elements of the claim are made out.

Overall conclusion on application for reconsideration

25. For the reasons I have given, I conclude that there is no reasonable prospect of the judgment refusing the application for interim relief being revoked or varied. I, therefore, refuse the application for reconsideration.

Date: 8 July 2026

Approved by

Employment Judge Slater

Case Number: 6003711/2026

JUDGMENT SENT TO THE PARTIES
ON

24 August 2026

FOR THE TRIBUNAL OFFICE