



EMPLOYMENT TRIBUNALS

Claimant: S

First Respondent: M

Second Respondent: G

JUDGMENT

The Claimant's application for reconsideration of the Judgment sent to the parties on 21 November 2025 is refused.

Reasons

1. On 11 September 2025 I heard the Claimant's application for an anonymity order under rule 49 and in respect of an interim relief hearing. I refused that application and I prepared written reasons which I approved on 23 September 2025. The Tribunal office sent those written reasons to the parties on 21 November 2025.
2. On 17 August 2026 the Tribunal office sent me an update from the Employment Appeal Tribunal. I understand the Claimant has appealed my decision on his anonymity application, and the Employment Appeal Tribunal has stayed his appeal for 28 days pending the outcome of a reconsideration application made to the Employment Tribunal. No reconsideration application had been sent to me prior to this notification.
3. I note that on the 25 February 2026 the Claimant wrote to the Tribunal office referring to two reconsideration applications he had made; the first sent to the Tribunal on 3 December 2025 at 12.59 and the second on 6 January 2026 at 14.23.
4. Looking at the Claimant's email to the Tribunal office of 3 December 2025, this does not concern my Judgment, but rather the case management orders that I also made on 11 September 2025. There is no mention of any request for reconsideration of the Judgment. Instead, the Claimant provides information relating to his schedule of loss.

5. Turning to the Claimant's email to the Tribunal office on 6 January 2026, this states "further to my previous reconsideration request" and says the Claimant has escalated the matter to the Employment Appeal Tribunal.
6. Rule 68 provides."(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."
7. This is the threshold for making an application. That is that reconsideration is necessary in the interests of justice. There must therefore be something about the nature of the Judgment, either substantively or procedurally, from which the interests of justice would be offended if the original Judgment was allowed to stand.
8. Under Rule 69 an application for reconsideration must be made within 14 days of the date the written record of the judgment sought to be reconsidered was sent to the parties. Here the Claimant's email of 3 December 2025 was sent within this time limit, however his email of 6 January 2026 was not.
9. Rule 70 deals with the process for reconsideration. I must give an initial consideration to the prospects of the application. I must consider whether it is in time and if not whether to extend time. I must consider whether it is necessary to seek the position of the Respondents and whether I can deal with the application on paper or at a further hearing. Under rule 70(2) If the tribunal considers there is no reasonable prospect of the judgment being varied or revoked the application must be refused and the tribunal should inform the parties of the refusal.
10. Guidance for Tribunals on how to approach applications for reconsideration was given in Liddington v 2Gether NHS Foundation Trust UKEAT/0002/16/DA.

"34. [...] 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 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. Tribunals have a wide discretion whether or not to order reconsideration.

35. Where [...] a matter has been fully ventilated and properly argued, and in the absence of any identifiable administrative error or event occurring after the hearing that requires a reconsideration in the interests of justice, any asserted error of law is to be corrected on appeal and not through the back door by way of a reconsideration application."

11. If there was an error of law, this is a matter for appeal and not reconsideration. The Claimant has not argued or identified an error of law.
12. The 3 November 2025 email was said by the Claimant in his email of 25 February 2026 to contain a reconsideration application. As noted above this email seeks to talk to the case management orders that I made on 11 September 2025 rather than the Judgment as to the anonymity application. It does not mention reconsideration and does not appear to be an application for reconsideration. Even if the Claimant believes it is an application for reconsideration there is no reference to the anonymity Judgment and no reason presented by the Claimant as to why the anonymity Judgment is wrong and therefore it would not be in the interests of justice to revisit it.
13. As to the 6 January 2026 email, this does mention reconsideration, but it is outside the time limit for making a reconsideration application under rule 69. The Claimant has not offered any reason for the lateness, and I have no reason therefore to extend time. Even if I am wrong, the email of the 6 January does not offer any grounds or reason as to why the anonymity Judgment is wrong and should be reconsidered.
14. In the circumstances the application for reconsideration is rejected on the basis there is no reasonable prospect of the judgment being varied or revoked. Accordingly, the application for reconsideration is therefore refused.

Employment Judge Hindmarch

Approved on: 25 August 2026