EMPLOYMENT TRIBUNALS

Claimant: Miss B Connolly

v

Respondent: Trentham Invest Limited

Heard at: London South (**on paper**)

On: 7 October 2026

Before: Employment Judge Fredericks-Bowyer
Tribunal Member Clewlow
Tribunal Member Townsend

APPLICATION FOR RECONSIDERATION

1. Within around five minutes of oral remedy judgment being given in the case, the respondent applied for reconsideration of the interest award. The Panel were in communication when the application reached us and we have considered it together.

2. In judgment, we awarded £1,525 in respect of interest. This was 8% interest on the injury to feelings sum of £14,000 calculated from 17 January 2024 (the last harassment) to the mid-point between that date and today.

3. The respondent contends it is necessary in the interests of justice to reduce that part of award due to the length of time for final hearing to be reached on the basis the respondent is not responsible for Tribunal delay.

4. The respondent did not make that submission ahead of the decision being made. It had the opportunity to persuade us to depart from the usual interest calculation but did not do so. The claimant asked for interest at a rate of 8%, and the matter of interest was a live point in the list of issues. If the respondent had a position on interest, it should have said so in submissions.

5. It is trite law that there must be finality in litigation. A party cannot have a second bite of the cherry upon learning of an outcome because it thinks of something else that it should have said or presented at the proper time, in the hearing, before judgment.

6. In any case, even if the submission was made at the proper time, we do not consider that we would have done as we are now asked. The claimant is also not at fault for the delay. She suffered injury to her feelings a long time ago, and the respondent has been responsible for that injury. Having to pay additional interest as a result of a busy system is part of litigation risk which comes from having employees,

particularly if those employees are treated in ways which increase litigation risk for the employer, as we have found and seen further evidence of with this employer.

7. It follows that there is no reasonable prospect of us concluding it was necessary in the interests of justice to vary or revoke this part of the award. The application is dismissed. The claimant does not need to comment on it. The award must be paid.

Approved by:
Employment Judge Fredericks-Bowyer
Date: 7 October 2026

Sent to the parties on:
Date: 3 November 2026