



EMPLOYMENT TRIBUNALS

Claimant: Mr M Keats

Respondent: V12 Retail Finance Limited

RECONSIDERATION JUDGMENT

1. The Claimant's application, dated 1 June 2021, to "amend the name of the Respondent back to "Secure Trust Bank Group" from "V12 Retail Finance Ltd"", has been treated as a request for reconsideration, pursuant to Rule 70 of the Employment Tribunals Rules of Procedure ("Rules"), of paragraph 10 of the Case Management Orders sent to the parties on 21 May 2021. That is on the basis that that paragraph finally determined the Claimant's claims against Secure Trust Bank Group, and thus fell within the definition of "judgment" set out at Rule 1(3)(b) of the Rules.
2. That application for reconsideration is refused.

REASONS

1. There is no reasonable prospect of the original decision being varied or revoked, because the matters raised in the application only replicate the evidence considered at the hearing on 19 May 2021.
2. The conclusion from that evidence was that, whilst V12 Retail Finance Limited is a subsidiary of Secure Trust Bank PLC, and forms part of the Secure Trust Bank group for several purposes, e.g. HR support and policies, the Claimant's employer was V12 Retail Finance Limited.
3. There is nothing within the Claimant's application, or the documentation attached to it, which would cause the decision to be revisited, and the EAT decision of Hyde Housing Association Ltd & others v Layton (UKEAT/0124/15) does not assist the Claimant. The judgment in that case, whilst primarily relating to the question of whether or not a transfer had taken place for the purposes of the Transfer of Undertakings (Protection of Employment) Regulations 2006, ultimately concluded that the claimant's

employment remained with his original employer, notwithstanding that it had become absorbed in a larger group.

Employment Judge S Jenkins

Date: 9 July 2021

JUDGMENT SENT TO THE PARTIES ON 13 July 2021

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FOR THE TRIBUNAL OFFICE Mr N Roche