



EMPLOYMENT TRIBUNALS

Claimant: Mrs K Kaur

Respondent: The Blessed Peter Snow Catholic Academy Trust

Heard in Sheffield on paper

ON: 10 December 2025

BEFORE: Employment Judge Brain

JUDGMENT ON RECONSIDERATION

The Judgment of the Employment Tribunal is that:

1. There is no reasonable prospect of the judgment sent to the parties on 21 November 2025 (*the Judgment*) being varied or revoked.
2. The claimant's application for reconsideration of the Judgment is dismissed, and the Judgment is confirmed.

REASONS

Introduction

1. There was a five days' hearing of this case on 23, 24, and 25 April and on 18 and 19 November 2025. On the afternoon of 19 November 2025, the Tribunal delivered the Judgment. The claimant asked for written reasons which were sent to the parties on or around 1 December 2025.
2. On 8 December 2025 the claimant made an application for reconsideration of the Judgment.

The Law

3. By Rule 68 of the Employment Tribunal Procedure Rules 2024 the Employment Tribunal may, either on its own initiative or on the application of a party, reconsider any judgment where it is necessary in the interests of justice to do so. On reconsideration, the judgment may be confirmed, varied, or revoked.
4. An application for reconsideration shall be presented in writing (and copied to the other parties) within 14 days of the date on which the written record of the

judgment in question or written reasons (if provided separately) were sent to the parties.

5. Accordingly, the claimant's reconsideration application was presented within the time limit in the 2024 Rules. It appears not to have been copied to the respondent's solicitor. The reconsideration application is therefore defective. However, the Tribunal exercises its power under Rule 6 of the 2024 Rules to waive the requirement to copy in respondent's solicitor. The respondent's solicitor will be sent a copy of this reconsideration judgment and of the reconsideration application.
6. Under Rule 68, a judgment will only be reconsidered where it is necessary in the interests of justice to do so. Rule 68 allows the tribunal a broad discretion to determine whether reconsideration of a judgment is appropriate in the circumstances. The discretion must be exercised judicially. This means having regard not only to the interests of the party seeking the reconsideration but also the interests of the other party to the litigation and the public interest requirement that there should be finality of litigation, so far as possible.
7. The procedure upon a reconsideration application is for the Employment Judge that heard the case to consider the application and determine if there are reasonable prospects of the judgment in question being varied or revoked. Essentially, this is a reviewing function in which the Employment Judge must consider whether there is a reasonable prospect of a reconsideration in the interests of justice. There must be some basis for reconsideration. It is insufficient for an applicant to apply simply because they disagree with the decision.
8. If the Employment Judge considers that there is no such reasonable prospect, then the application shall be refused. Otherwise, if it cannot be said that there is no reasonable prospect of the judgment being reconsidered, then there shall be a reconsideration hearing. The Employment Judge's role therefore upon considering an application for reconsideration in the first instance is to act as a filter to determine whether there is a reasonable prospect of the judgment being varied or revoked were the matter to be remitted for a reconsideration hearing.

The claimant's reconsideration application, discussion, and conclusions

9. The claimant's reconsideration application is in the main an attempt to reargue the unsuccessful case brought by her. The tribunal is satisfied that the decision made was correct and that there is no reasonable prospect of the Judgment being varied or revoked. The Judgment is confirmed.
10. The claimant contends that there was a misdirection of the case at the behest of the respondent's solicitor and that the tribunal's focus was upon the claimant's absence and capability as opposed to the alleged conduct of the educational teaching assistant who had lied about contracting Covid and the bullying and harassment of the claimant after she raised concerns about these matters.
11. The tribunal focussed correctly upon the reason why the claimant was dismissed. There was no public interest disclosure detriment claim arising out of the respondent's conduct during the claimant's employment calling for detailed findings about what happened during the claimant's employment. The list of issues of Employment Judge Wade of 26 November 2024 is clear as to the claims being brought which centred entirely on the dismissal.

12. The tribunal found that Katrina Santoro was not authorised to receive public interest disclosures on behalf of the respondent. That is a decision open to the tribunal from the evidence. The tribunal went on to find in the alternative that even if she was an authorised recipient of the disclosure of 24 June 2021, then the evidence firmly pointed away from that as being the reason for the dismissal and which influenced the decision makers and the dismissal and appeal stages.
13. The decision makers had before them all information, including the disclosure of 24 June 2021 and the alleged disclosure of 3 January 2023. The allegation of concealment is therefore difficult to understand. The claimant did not put in terms to the decision makers at the dismissal or appeal hearings that the real reason for the dismissal was that she made protected disclosures. The tribunal was entitled to find that what operated on the minds of the decision makers was not those matters (which were two of many issues raised by the claimant) but the fact of her long-term sickness absence.
14. It is not for the head teacher to intercede in the claimant's medical treatment. The evidence was that Dr Ahmed would contact the claimant's GP and arrange to see her again. It was not for the head teacher on behalf of the employer to arrange medical appointments. Even if the claimant is right in her suggestion that the employer's handling of matters led to a delay in her treatment, such does not preclude the fair dismissal of her anyway. (In any case, the claimant was seen by her GP and found herself under the care of her medical practitioners. There was no delay in her treatment anyway).
15. Contrary to the claimant's assertion, the tribunal did consider the question of the non-production of the medical report of 16 August 2023. It fell within the range of reasonable management responses for the respondent to proceed without it, given what the claimant was telling them about the lack of prospect of a return to work. It formed no part of the respondent's decision making that the claimant was being obstructive in not authorising the release of the report before the factual correction was made. The real issue for the respondent was the prospect of the claimant's return to work. That issue was addressed by her at the dismissal and appeal hearings. There was no prospect of a return to work and in the circumstances the respondent dismissed the claimant, a decision which was one falling within the range of reasonable management responses.

Approved by Employment Judge Brain

Date: 10 December 2025.

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Sent to the parties on:

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For the Tribunal:

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