



EMPLOYMENT TRIBUNALS

Claimant: Ms J Zhang

Respondent: St Paul's School

JUDGMENT

The claimant's application dated 15 December 2025 for reconsideration of the judgment sent to the parties on 9 December 2025 is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, for the reasons that follow.

1. The Claimant has submitted two applications for reconsideration of the Tribunal's judgment in this case. A written judgment was promulgated on 9 December 2025, recording the judgment given on 5 December 2025 and noting that full reasons were given orally. The claimant applied firstly for reconsideration via email on 10 December 2025. A revised reconsideration application was submitted on 15 December 2025, raising 99 points of concern. I have considered the latter application.
2. The application is considered under Employment Tribunal Procedure Rules 2024, specifically Rule 69 (Reconsideration Applications) and Rule 70 (Tribunal Power to Refuse or Grant Reconsideration). Rule 70(2) allows the Tribunal to refuse reconsideration without a hearing where there is no reasonable prospect of varying or revoking the judgment. Reconsideration is not an opportunity to re-argue the case, to revisit findings of fact, or to advance points which were, or could reasonably have been, raised at the hearing. This application has been considered and determined by me sitting alone, as permitted under the Employment Tribunals Rules of Procedure 2024, the power of reconsideration being a judicial function.
3. The reconsideration application largely concerns alleged errors in relation to disability – namely that her complaint concerned an alleged “perception of disability” issue, rather than disability, the handling of documents and evidence. The application seeks to relitigate various procedural complaints relating to the Respondent's investigation.

Reconsideration Analysis

To assist the Claimant I will deal with her challenges in the order she put them in her amended reconsideration request.

Paras 1–8:

- At the outset, it is necessary to note that disability by perception was not included in the list of issues agreed by the parties at the case management hearing presided over by Judge Siddal and outlined in her Case Management Order of 9 April 2025. This formed the basis of the parties' case preparation and the Judge had the parties confirm and agree the list of issues at the start of the hearing.
- The claimant suggests she repeatedly sought to clarify this, but in fact only attempted to introduce the question after she had adopted her evidence on disability, had been cross-examined and was in re-examination. I properly refused to entertain a disability by perception claim at that stage, as it was outside the agreed issues and to do so would have been unfair. This point is therefore rejected; I do not consider this a permissible ground for reconsideration.
- The claimant further suggests Judge Siddal found at the earlier case management hearing that she was suicidal and therefore already met the disability criteria. This was not reflected in the Case Management Order where Disability was in fact identified as an issue for determination by this Tribunal, and in relation to which the Judge suggested the claimant supply medical evidence in pursuance of her Disability claim.
- The claimant asserts that she was dismissed because she was assumed to be suicidal. The Panel found she was dismissed for conduct reasons. The references here to suicide do not introduce new information not previously before the Tribunal; no reconsideration is warranted.

Para 9:

- The claimant challenges the Judge's questioning on disability, asserting it was improper and irrelevant, and that an expert witness was required to challenge her evidence. As Disability (mental impairment) was a live issue I confirm that questioning on disability was appropriate, including in cross-examination, given the pleaded issues of disability discrimination. In the absence of medical evidence supporting this claim (apart from fit notes based on self-reported information, where cogent medical evidence is ordinarily required in practice where mental impairment is asserted) the Tribunal's attempts to ascertain other circumstantial evidence which might support her claim was in fact to her benefit. There is no requirement that cross-examination on disability be conducted by an expert witness. The burden lay on the claimant to establish disability. In the absence of cogent medical evidence, it was entirely proper for the Tribunal and the Respondent to test the factual basis and asserted effects of an alleged impairment. No error of law arises from the Tribunal exploring her disability claim.

Paras 10–17:

- The claimant contends that the hearing bundles were not agreed. It was the parties' mutual responsibility to agree a 500-page bundle - they failed to do so.

They supplied supplemental bundles of 1371 pages to which they both referred. The Judge reflecting the panel's view complained that the bundles were disproportionate to a four-day hearing. and made it clear they would only consider documents to which they were referred. Responsibility for that failure rested with both parties.

- The Panel explicitly considered only documents referred to in evidence and referred in the judgment only to relevant issues.
- The Judge did not say the panel had not considered documents in the supplemental bundles.
- No reconsideration is merited; I acted within procedural rules in managing the bundles.

Paras 18–22:

- Concerns are raised regarding disclosure of documents, including the medical certificate dated 17 April 2025. I observe that the certificate was included in the supplemental bundle, was referred to during the hearing and was considered and referred to in the judgment. The handling of this disclosure did not affect the outcome of the judgment.
- She refers to the absence of schedules of loss. The hearing was listed to deal with liability only. The absence of the schedules had no effect on the outcome.

Paras 23–24:

- Allegations regarding emails and the absent witness (Mrs Zalar) are noted.
- The Tribunal panel considered all properly admitted evidence. The claimant was offered the opportunity to challenge the inclusion of Mrs Zalar's statement. She declined to do so. The Panel was entitled to attach such weight as it considered appropriate to the investigation report in light of the evidence which was tested before it. I do not accept that the absence of Mrs Zalar provides grounds for reconsideration. With regards to Mr Grace's and Ms Manuel's testimony, it was evaluated appropriately.

Paras 25–99:

- The remainder of the application raises detailed challenges to witness statements, investigation reports, and specific investigation findings. These reflect arguments already made in the claimant's submissions. I have reviewed each of these points. The judgment delivered reflected the panel's careful consideration of the evidence before the Tribunal. Discrepancies in recollections, document dates, or procedural choices were matters of evidence weight and credibility. No procedural or legal error is established here.
- In particular, I note the following:
 - Alleged inaccuracies in Mrs Zalar's report or Mr Grace's understanding were matters of evidence, already assessed in the judgment.
 - Claims regarding omission of documents from the core bundle do not undermine the judgment, as only documents properly referred to in evidence were relied upon. It was open to the Claimant to raise this at the hearing.

- The claimant specifically asks that we consider an expanded email of 5 June 2023, 15:12 from her to Ms Manuel sent after her meeting with Ms Manuel and Mr Snowball at 9am that day. This document was available to the claimant and could have been relied upon at the hearing. I do not consider that this adds anything to her case. I note that it was the claimant's sworn evidence in her statement that at the 9am meeting Mr Snowball threatened that if she did not end her employment with the School she would secure other employment, and that Ms Manuel stated she would be dismissed and she (Ms Manuel) would make sure she would never be able to secure another employment. There is no reference in that email to any threats of the kind alleged in her sworn evidence, nor in the subsequent formal but cordial exchanges between claimant and Ms Manuel, which she also included for context. This full version of the email, if it had been considered, would not have assisted the claimant or affected the outcome. The email is not admitted on reconsideration.
- Assertions about minor equipment issues, email content, percentages and questions raised regarding conclusions reached relate to the **substantive findings already reached by the Tribunal**. Any attempt to relitigate facts already considered constitutes **an impermissible reopening** of the case. Such matters are not capable of founding a reconsideration within Rule 70.

Conclusion

4. I find that:
 - None of the claimant's points identifies an error of law, a procedural irregularity, or a material misapprehension of evidence sufficient to justify reconsideration.
 - **Disability by perception** was not an issue before the Tribunal and cannot be considered at this stage.
5. I confirm that the judgment **stands**.
6. The application for reconsideration is **refused**.
7. No amendment or reconsideration order is made.

Date: 24th December 2025

Approved by

Employment Judge Harley

Judgment sent top parties on:
19th Januray 2026

FOR THE TRIBUNAL OFFICE