



EMPLOYMENT TRIBUNALS

Claimant: Ross Hancher

Respondent: Kantar UK Ltd

RECONSIDERATION JUDGMENT

In accordance with rule 70(2) of The Employment Tribunal Procedure Rules 2024, the Claimant's reconsideration application is refused because the Tribunal considers there to be no reasonable prospect of the original decision being varied or revoked.

REASONS

1. The Claimant emailed the Tribunal on 8 February 2026 applying for reconsideration of what he says was a judgment dismissing this claim upon withdrawal following a settlement through Acas of 7 February 2020.
2. The age of this case means the Tribunal no longer has any paperwork relating to it, including any such judgment. All that can be seen from the Tribunal's electronic systems is that a case with the case number the Claimant has provided for this case (1300614/2019) was linked by the Tribunal to what appears to be another claim he brought against the Respondent (case number 1307341/2019), which was rejected by the Tribunal. Nevertheless, I assume for the purposes of making this decision that the Claimant is right about the judgment's existence.
3. The basis of the Claimant's reconsideration application is that he lacked capacity *"At the time the settlement was reached and the COT3 was signed"*. His explanation for his delay in applying for reconsideration is: *"I have been unable to bring this application sooner due to the severity of my health issues, continued recovery from sepsis, and the failings of my previous legal representative. I ask the Tribunal to exercise its discretion to extend the time limit for this application, as it was not reasonably practicable to apply sooner."*
4. On 9 February 2026, the Claimant emailed the Tribunal a letter from a GP dated 25 September 2025, stating that the letter confirms, *"that my mental health has prevented me from managing my affairs since 2021"*.
5. I refuse the reconsideration application on the basis that there is no reasonable prospect of the original decision being varied or revoked because:
 - 5.1 pursuant to rule 51 of Tribunal Rules of 2013 that applied in February 2020, if a claimant wrote to the Tribunal withdrawing the claim, the claim came to

an end and the Tribunal had no power to revive or reinstate a withdrawn claim. See **Khan v Heywood & Middleton Primary Care Trust** [2006] EWCA Civ 1087. That was a case under a previous set of Tribunal rules, but it remains good authority for this general proposition: once withdrawn, a claim cannot be reinstated. I also note, in support of a similar proposition, **Campbell v OCS Group UK Ltd & Anor** [2017] ICR D19, which was decided under the 2013 Rules;

- 5.2 it follows that even if the settlement was invalid, the Claimant cannot revive case 1300614/2019;
- 5.3 it is doubtful that even if this claim could somehow be revived, it would be possible to have a fair final hearing this many years down the line;
- 5.4 the medical evidence provided does not confirm that the Claimant's mental health has prevented him from managing his affairs since 2021. All it says is that he, "*has been diagnosed with anxiety and depression which was exacerbated by the need for multiple surgical procedures from August 2021. He is on regular antidepressants and these have affected [my emphasis] his ability to manage his personal and financial affairs since October 2021 with this illness ongoing*";
- 5.5 if it were the case that his mental health had prevented him from managing his affairs since 2021:
 - 5.5.1 this would presumably mean he could not manage his affairs now and that he lacked capacity to make the reconsideration application he has made;
 - 5.5.2 there would be no explanation for why he has been able to apply for reconsideration now;
- 5.6 he is suggesting he lacked capacity in February 2020, but the clear implication from his GP's letter is that his ability to manage his personal and financial affairs was not affected before October 2021;
- 5.7 he mentions "*failings of my previous legal representative*". He does not explain why his legal representative did not notice he lacked, or might lack, capacity and/or did not make a reconsideration application on his behalf at any relevant time. If his case is that his legal representative was negligent, then presumably he has already explored the possibility of seeking recompense from them – and if he has, he has not explained what the outcome of that was; and if hasn't, he has not explained why not.

Employment Judge Camp

Approved on 12 February 2026