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 of 23 March 2026 is refused because the application was made too late and in any event the Tribunal considers there to be no reasonable prospect of the original decision being varied or revoked.

REASONS

1. By way of background, see the reconsideration judgment and reasons approved by me [Judge Camp] on 12 February 2026 and sent to the Claimant on 13 February 2026.

2. I refer to the Claimant's email application of 23 March 2026 for reconsideration of that reconsideration decision, to which he attached a letter from his GP of 25 February 2026.

3. I can confirm that nothing has been received from the Respondent and that, to date, nothing has been sent to the Respondent by the Tribunal either. This is because – as explained in my previous decision – the age of this case means there is no Tribunal file. The Tribunal has no idea of the validity of the email addresses the Claimant appears to be using for the Respondent.[1]

4. The Claimant suggests he did not receive the previous reconsideration judgment until 23 March 2026. To the best of my knowledge it has only been emailed to him once: on 13 February 2026. If it is the case that that email was only delivered to him on 23 March 2026, I don't know why, but I assume the email was available to him from 13 February 2026 on the server of his email provider had he double-checked. The 14-day time limit in Rule 69 of the ET Procedure Rules 2024 runs from the date when the judgment was sent to him and so expired on 27 February 2026. His new application for reconsideration is therefore made nearly a month late.

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[1] I have today directed the Tribunal Administration to send this decision and my previous decision to the Respondent using the contact details we have on file in related case number 1307341/2019.

5. More importantly, the new reconsideration application has no more merit than the previous one.

6. In the reconsideration judgment and reasons of 12 February 2026, I gave seven or (counting subsidiary points) eight reasons why I was refusing the reconsideration application of 8 February 2026. The new application addresses only one of those reasons and it is probably the least important of them.

7. The point made in the previous reconsideration judgment and reasons that the new application addresses is (to quote from the reasons): "*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*". Putting to one side the fact that there is no discernible reason why the Claimant could not have obtained similar evidence to that contained in his GP's letter of 25 February 2026 before making his reconsideration application of 8 February 2026, and that I would generally not consider this new evidence in those circumstances, I can see that the GP expresses the opinion that "*between late 2018 and through 2020*" physical and mental health "*factors would collectively have affected his ability to make a fully informed and well-considered decision based on the information available to him at the time*". That does not, however, weaken any of the other points made in the previous reconsideration judgment and reasons, including the existence of this insurmountable legal hurdle: even if the Claimant lacked capacity and the COT3 settlement were invalid, the Tribunal would have no power to revive a claim that has been withdrawn.

8. In addition:

    8.1 a GP's opinion, based "*on the available primary care records*" that the Claimant's ability to make "*a fully informed and well-considered decision*" was "*affected*" between late 2018 and through 2020 is not the same as saying, and is a very long way from saying, that the Claimant lacked capacity to enter into a settlement agreement in 2020, at a time when he was legally represented;

    8.2 I would question the ability of any consultant psychiatrist, let alone a GP (no disrespect to GPs intended), to assess the capacity of someone with six years' hindsight based on primary care records (unless, perhaps those primary care records themselves included something akin to a capacity assessment that was carried out at the time – and the Claimant's GP and the Claimant himself would should surely have mentioned anything like that if it existed);

    8.3 if the Claimant lacked capacity from 2018 to 2020, he lacked capacity to bring this Employment Tribunal claim at all.

9. I cannot prevent the Claimant from making further reconsideration applications, but I would urge him not to, not least because doing so would be a waste of his time and energies. I repeat yet again: whatever else, the Tribunal has no power to revive this claim, because he withdrew it – even if he lacked capacity when he withdrew it.

10. The Claimant can appeal to the Employment Appeal Tribunal if he thinks a legal mistake was made in any Employment Tribunal decision. There is more information here:
https://www.gov.uk/appeal-employment-appeal-tribunal

Employment Judge Camp

Approved in the Employment Tribunals, Birmingham on 24 March 2026