



EMPLOYMENT TRIBUNALS (SCOTLAND)

Presidential Practice Direction – Presentation of Claims

1. Rule 8 (1) of the Employment Tribunals Rules of Procedure (as set out in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure Regulations 2013) is in the following terms:

“Presenting the claim

- 8.—(1) A claim shall be started by presenting a completed claim form (using a prescribed form) in accordance with any practice direction made under regulation 11 which supplements this rule.”
2. This Presidential Practice Direction, which sets out the methods by which a completed claim form may be presented, is made in accordance with the powers set out in Regulation 11 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013. The Practice Direction has effect from 14 December 2016.

Methods of presenting a completed claim form

3. A completed claim form may be presented to an Employment Tribunal in Scotland:
 1. Online by using the online form submission service provided by Her Majesty’s Courts and Tribunals Service, accessible at www.employmenttribunals.service.gov.uk;
 2. By post to **Employment Tribunals Central Office (Scotland), PO Box 27105, GLASGOW, G2 9JR.**

A claim may also be presented, in the alternative, by hand to an Employment Tribunal Office listed in the schedule to this Practice Direction.

4. Whichever method of presentation is used, the claim form must be accompanied by the relevant fee, an application for Help with Fees¹. (The reference in Rule 11 to “remission application” is now to be read as if it were a reference to “Help with Fees application”) or an application for exceptional remission under the Lord Chancellor’s exceptional power to remit fees where applicable.
5. The Presidential Practice Direction dated 29 July 2013 is hereby revoked.

Shona Simon

President, Employment Tribunals (Scotland)

Dated: 14 December 2016

Additional Information for the Assistance of Individuals who wish to present claims

The following information does not form part of the Practice Direction but is provided for the assistance of individuals who wish to present claims (hereafter 'claimants').

1. If a claim is not accompanied by a fee or an application for Help with Fees or application for a fee remission under the Lord Chancellor's exceptional power to remit fees then it will be legally rejected. If this happens then, for the purposes of the time limit which applies to presentation of the claim, time will continue to run. If the claim was first presented close to the time limit then this could mean the claim is time barred if a claimant chooses to resubmit the claim with the fee or an application for Help with Fees.
2. Guidance on methods of payment is available at <https://www.gov.uk/employment-tribunals/make-a-claim>. Claimants should note that cash cannot be accepted at a local Employment Tribunal Office. If you are only able to pay by cash then further information on what you should do is available by telephoning +44 (0)141 204 0730 or text phone 18001 0141 354 8574 .
3. The speediest and most efficient method of presenting a claim will normally be by using the online submission service. The online system will assist in calculating the fee which is due, will ensure that a claimant does remember to pay or make an application for Help with Fees (since it will not allow the claim to be submitted otherwise) and will reach the fee processing centre very quickly. It also leaves no room for doubt about when the claim was presented since this is recorded electronically; that may be important if the claim is being presented close to the end of the limitation period. An electronic version of the claim form can be found at <https://employmenttribunals.service.gov.uk/apply>.

ⁱ Information about the fees payable for making a claim can be found at <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do> (search for leaflet/form number 'T435' if you are making a claim as an individual; or 'T436' if you are making a claim as part of a group of claimants. Information on the Help with Fees scheme which applies can be found at <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do> (Search for leaflet/form number 'T438'). In both cases paper copies of the relevant booklet are available on request from the Employment Tribunal Office in Glasgow (contact details available in attached schedule).

Schedule

<i>Office</i>	<i>Address</i>
Aberdeen	Employment Tribunals c/o Sheriff and Justice of the Peace Courts 53 Castle Street Aberdeen AB10 1WP [Temporary Location] Telephone:01224 657259
Dundee	Ground Floor Block C Caledonian House Greenmarket Dundee DD1 4QB Telephone:01382 221578
Edinburgh	54-56 Melville Street Edinburgh EH3 7HF Telephone:0131 226 5584
Glasgow	Eagle Building 215 Bothwell Street Glasgow G2 7TS Telephone: 0141 204 0730