



## EMPLOYMENT TRIBUNALS (SCOTLAND)

### Presidential Practice Direction – Presentation of Claims

1. Regulation 11 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 (hereafter “the Regulations”) allows the President to make Practice Directions about the procedure of Employment Tribunals in the area for which the President is responsible.
2. Regulation 12 states that the Secretary of State may prescribe one or more versions of a form which shall be used by claimants to start proceedings. However, Regulation 12(2) goes on to make it clear that it is not necessary to use a prescribed form for certain types of proceedings including proceedings in which an Employment Tribunal will be exercising its appellate jurisdiction.
3. Rule 8 (1) of the Employment Tribunals Rules of Procedure (as set out in Schedule 1 of the Regulations) 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.”

4. This Presidential Practice Direction sets out the methods by which (i) a completed prescribed claim form and (ii) a statutory appeal not on a prescribed form may be presented.

#### Methods of presenting a completed (prescribed) claim form

5. A completed (prescribed) 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](http://www.employmenttribunals.service.gov.uk);
  2. By post to **Employment Tribunals Central Office (Scotland), PO Box 27105, GLASGOW, G2 9JR.**
  3. By hand to an Employment Tribunal Office listed in the schedule to this Practice Direction.

## Methods of presenting a statutory appeal

6. In the case of a statutory appeal, where there is no requirement to use a prescribed form, presentation may be effected by any of the methods specified at paragraph 5 above, (albeit use of the online form submission service will necessitate the use of a prescribed claim form). In addition, an appeal may be presented by email to [GlasgowET@justice.gov.uk](mailto:GlasgowET@justice.gov.uk).
7. Attention is drawn to the related Presidential Guidance entitled “Making a Statutory Appeal falling within the jurisdiction of the Employment Tribunal” which has appended to it forms which can be used to submit a notice of appeal in connection with various appeal rights.
8. The Presidential Practice Direction dated 2<sup>nd</sup> November 2017 was revoked on 28<sup>th</sup> November 2018.

## Effect and extent of the Practice Direction

9. This Practice Direction has been approved by the Senior President of Tribunals and the Lord Chancellor under section 7A(2C) of the Employment Tribunals Act 1996. It comes into force on the date it is signed below. It applies to Employment Tribunals (Scotland).

### Shona Simon

President, Employment Tribunals (Scotland)

Dated: 21<sup>st</sup> April 2021

### Lord Wolfson of Tredegar QC

Parliamentary Undersecretary of State for Justice

Dated: 21<sup>st</sup> April 2021

## Schedule

<i>Office</i>	<i>Address</i>
Aberdeen	Employment Tribunals Ground Floor AB1 48 Huntly Street Aberdeen AB10 1SH Telephone: 01224 593137
Dundee	Ground Floor Endeavour House 1 Greenmarket Dundee DD1 4QB Telephone: 01382 221578

Edinburgh	54-56 Melville Street Edinburgh EH3 7HF Telephone: 0131 226 5584
Glasgow	The Glasgow Tribunals Centre 3 Atlantic Quay 20 York Street Glasgow G2 8GT Telephone: 0141 204 0730