



## Tribunals Judiciary

**Judge Susan Walker KC (Hon)**  
President  
Employment Tribunals  
(Scotland)

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### **Presidential Practice Direction**

#### **Presentation of Claims, Responses and Statutory Appeals to the Employment Tribunals (Scotland)**

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1. In this Practice Direction, “Rules” means the Employment Tribunal Procedure Rules 2024.
2. Section 7A(1) of the Employment Tribunals Act 1996 allows the President to make Practice Directions about the practice and procedure of Employment Tribunals in Scotland. This Practice Direction concerns the available methods for the presentation of claims, responses and statutory appeals to the Employment Tribunals in Scotland. It supersedes the Practice Direction on the presentation of claims dated 21 April 2021 and the joint interim Practice Direction on the presentation of responses dated 6 April 2024. The Practice Direction that sets out the available methods for the presentation of claims, responses and statutory appeals to the Employment Tribunals in England and Wales can be found here: <https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions>.

#### **Presentation of claims and responses**

3. Rule 10(1) provides that a claim shall be started by presenting a completed, prescribed claim form “*in accordance with any practice direction*”. Rule 17(1) provides that a response must be on a prescribed form and presented “*in accordance with any practice direction*”. In both cases, minimum information is required; see Rule 12(1) for claims and Rule 18(1) for responses.
4. Forms are prescribed by the Presidents in accordance with Rule 9(1) of the Rules. Rule 9(2) sets out exceptions where a prescribed form is not required, such as where an Employment Tribunal is exercising its statutory appellate jurisdiction; see paragraphs 10-12 below.
5. By this Practice Direction, a claim or response may only be presented using one of the following four methods:

- **Method one:** online, using the online submission service provided by HM Courts and Tribunals Service.
  - **Method two:** by post to the Employment Tribunals Central Office (Scotland), PO Box 27105, Glasgow, G2 9JR.
  - **Method three:** by hand to any of the Employment Tribunal offices listed in the schedule to this Practice Direction.
  - **Method four:** exceptionally (see paragraph 8), by email to [etsubmission-scot@justice.gov.uk](mailto:etsubmission-scot@justice.gov.uk).
6. Method one is generally quicker and easier. The online submission service can be accessed at the following links:
- Claims: <https://www.gov.uk/employment-tribunals/make-a-claim>
  - Responses: <https://www.gov.uk/being-taken-to-employment-tribunal-by-employee>
7. For methods two, three and four, the relevant prescribed forms can be downloaded at the following links:
- Claims: <https://www.gov.uk/government/publications/make-a-claim-to-an-employment-tribunal-form-et1>
  - Responses: <https://www.gov.uk/government/publications/respond-to-a-claim-made-to-an-employment-tribunal-form-et3>
8. Method four is described as exceptional because it is only available where there is a fault with the online submission service. A claim or response presented by email will not have been validly presented unless accompanied by a screenshot of the error message generated by the online submission service confirming a system malfunction at the relevant time.
9. A claim or response that is not presented in accordance with this Practice Direction will be rejected. It will be returned to the party with a notice of rejection explaining why it has been rejected.

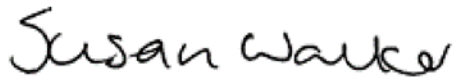
### **Presentation of statutory appeals**

10. Employment Tribunals hear statutory appeals against:
- A levy imposed under the Industrial Training Act 1982;
  - An improvement or prohibition notice issued under the Health and Safety at Work etc Act 1974;
  - An unlawful act notice issued by the Equality and Human Rights Commission under the Equality Act 2006;
  - An improvement or prohibition notice issued under the Energy Act 2013;
  - A notice of underpayment issued under the National Minimum Wage Act 1998; and
  - A financial penalty notice issued by an enforcement officer under the Employment Tribunals Act 1996.
11. There are no prescribed forms for commencing statutory appeals. However, optional forms are appended to the related Presidential Guidance "*Making a Statutory Appeal*"

*falling within the jurisdiction of the Employment Tribunal*” issued on 11 September 2017:

<https://www.judiciary.uk/wp-content/uploads/2015/03/presidential-guidance-statutory-appeals-20210616-003.docx>

12. A statutory appeal, or a response to a statutory appeal, may be presented using any of the four methods specified in this Practice Direction, albeit that method one will necessitate the use of a prescribed claim or response form. In the case of method four, there is no need for an accompanying screenshot of an error message generated by the online submission service.
13. 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 takes effect immediately after midnight on 20 May 2025.



Judge Susan Walker KC (Hon)  
President  
16 April 2025

## Schedule

Office	Address
<b>Aberdeen</b>	Employment Tribunals Ground Floor AB1 48 Huntly Street Aberdeen AB10 1SH Telephone: 01224 593137
<b>Dundee</b>	Employment Tribunals Ground Floor Endeavour House 1 Greenmarket Dundee DD1 4QB Telephone: 01382 2215782
<b>Edinburgh</b>	Employment Tribunals 54-56 Melville Street Edinburgh EH3 7HF Telephone: 0131 226 5584
<b>Glasgow</b>	Employment Tribunals The Glasgow Tribunals Centre 3 Atlantic Quay 20 York Street Glasgow G2 8GT Telephone: 0141 204 0730