

JUDGE SUSAN WALKER KC (HON)
PRESIDENT
EMPLOYMENT TRIBUNALS
(SCOTLAND)

JUDGE BARRY CLARKE
PRESIDENT
EMPLOYMENT TRIBUNALS
(ENGLAND & WALES)

30 September 2026

To: All members of the national user groups
Employment Tribunals (England & Wales)
Employment Tribunals (Scotland)

Dear colleagues

We have today published three items, all of which take effect on 1 October 2026.

First, a new joint Practice Direction concerning the ET1 and ET3 forms prescribed for use when presenting, or responding to, claims made to the Employment Tribunals (link [here](#)). The forms have been issued under the new power given to the Presidents, with effect from 6 January 2025, by rule 9 of the Employment Tribunal Procedure Rules 2024. We attach PDF versions of the new forms so that you can see them.

Links to the new forms are given in the joint PD. (As at the moment of sending this letter, those links will take you to the existing version of the forms. We are assured by HMCTS that the updated forms will be ready to “go live” on 1 October 2026 and that the links will then take you to the new forms.)

There are two changes:

- A new question 1.12 on the ET1, with explanatory material, allows the parties to express a preference as to the composition of the tribunal panel. It is mirrored by a new question 2.14 on the ET3. This question was anticipated at paragraph 20 of the joint Presidential Guidance on panel composition (at [this link](#)), but the change to the forms took longer than anticipated. Until now, the question has been asked of the parties in an addendum document when the ET1 is served on the respondent.
- A new question 8.3 on the ET1 enables HMCTS to monitor the extent of the increase in receipts arising from implementation of the Employment Rights Act 2025. By asking claimants to identify the date of the most recent event they complain about, it should help in quantifying, to some degree, the impact of the

extension of time limits from three months to six months. HMCTS asked for this question to be included, and we agreed.

The downloadable PDF versions of the ET1 and ET3 may be used for methods two, three and four of the permissible methods of presentation contained within the two Practice Directions for the presentation of claims, responses and statutory appeals to the Employment Tribunals (one each for England & Wales and for Scotland). Parties are strongly encouraged to use method one, which is the online “journey”. In that regard, HMCTS have confirmed to us that the correct prescribed forms will automatically be populated when users follow method one to present, or respond to, a claim.

We take the opportunity to remind users that the email address given on the above PDs for submission via method four is not to be used for general correspondence with a regional ET office. Such correspondence will be ignored, but it still takes members of staff monitoring that inbox time to check whether it is indeed a method four submission rather than (for example) a completed case management agenda form.

Second, new Presidential Guidance on the presentation of statutory appeals (link [here](#)). The previous guidance was promulgated almost a decade ago. The amendments are made principally to reflect changes introduced by the Employment Rights Act 2025; in particular, the former right of appeal against a notice of underpayment under section 19 of the National Minimum Wage Act 1998 is replaced by a right of appeal against a notice issued under section 103 of the 2025 Act, and the statutory appeal form at Part 5 has been revised so that its grounds of appeal correspond to section 110(1)(a) to (c) of the 2025 Act. A new section has also been added dealing with presentation of an appeal, referring appellants to the two Practice Directions for the presentation of claims, responses and statutory appeals. The document is in Word format to aid completion. Appellants should note that, pending the transfer of the relevant enforcement functions to the Fair Work Agency in April 2027, the respondent to an appeal will for the present continue to be designated as the Commissioners for Revenue & Customs.

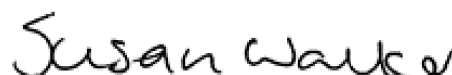
Third, revised Practice Directions for the presentation of claims, responses and statutory appeals to the Employment Tribunals (one each for England & Wales and for Scotland, at the links [here](#) and [here](#)). These have been revised minimally, so that they accurately cross-refer to the new PG on statutory appeals. They are otherwise unchanged.

There is one further point we wish to make about the ET1 and ET3 forms. Now that we have the power to prescribe the forms, we wish to improve their formatting, functionality and accessibility. Work continues in that regard in conjunction with a “forms team” within HMCTS. The latest prescribed forms introduced by our new PD represent an interim position until such time as the revamped forms are ready.

Yours sincerely



Judge Barry Clarke
President



Judge Susan Walker
President