**<<cs\_t****\_Scot\_180>>**

**<<##** 180 receipt of application for interim relief **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>> | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

**RECEIPT FOR APPLICATION**

**Employment Tribunals Rules of Procedure 2013**

The claim of <<Claimant>> for interim relief has been entered in the Register and allocated the case number shown above. Please quote this number in any future correspondence.

Section 128 of the Employment Rights Act 1996 requires an Employment Tribunal to determine a claim for interim relief as soon as practicable, provided that at least 7 days before the date of hearing a copy of the claim and, if appropriate, the certificate supporting it is given to the employer.

The main complaint of unfair dismissal will be dealt with separately in accordance with the provisions of the Employment Tribunals Rules of Procedure 2013. A separate notice of hearing relating to that complaint will be sent to you in due course.

If you are disabled and need any special arrangements when visiting an employment tribunal please inform the staff at the office dealing with your case who will do all they can to help.

If you have a question about employment tribunal procedure and cannot find the answer in the leaflet provided you can obtain further information from the Employment Tribunal helpline on 0141 354 8574.

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**<<else\_t\_Scot\_181>>**

**<<##** 181 notice of application for interim relief **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>> | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

**NOTICE OF CLAIM**

**Employment Tribunals Rules of Procedure 2013**

I enclose a copy of a claim for interim relief in which you are named as the respondent. The claim has been entered in the Register and allocated the case number shown above. Please quote this number in any future correspondence.

Section 128 of the Employment Rights Act 1996 requires an Employment Tribunal to determine a claim for interim relief as soon as practicable, provided that at least 7 days before the date of hearing a copy of the claim and, if appropriate, the certificate supporting it is given to the employer.

The main complaint of unfair dismissal will be dealt with separately in accordance with the provisions of the Employment Tribunals Rules of Procedure 2013. A separate notice of hearing relating to that complaint will be sent to you in due course.

If you are disabled and need any special arrangements when visiting an employment tribunal please inform the staff at the office dealing with your case who will do all they can to help.

If you have a question about employment tribunal procedure and cannot find the answer in the leaflet provided you can obtain further information from the Employment Tribunal helpline on 0141 354 8574.

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**<<else\_t\_Scot\_182>>**

**<<##** 182 Notice of interim relief hearing **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>>  or    <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>>  delete as applicable | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

**URGENT**

**NOTICE OF HEARING – INTERIM RELIEF**

**Employment Tribunals Rules of Procedure 2013**

1. The claimant has applied for interim relief on the grounds that the reason for their dismissal was **[insert from Employment Judge referral].** An Employment Judge has therefore directed that an interim relief hearing is to be held to consider the application, and if appropriate, to order the claimant’s reinstatement or re-engagement or to grant a continuation of contract Order pending the hearing of the complaint of unfair dismissal.
2. The interim relief application will be heard by an Employment Judge at **<<Hearing\_Address>>** on **<<Hearing\_Date\_Time>>** or assoon thereafter on that day as the Employment Judge can hear it.
3. We have set aside **<<Hearing\_Duration>>** for its full disposal, including remedy if appropriate. If you consider that the hearing is likely to last more than **<<Hearing\_Duration>>** you must inform the tribunal office within 7 days, telling us how long you think will be required.
4. You are responsible for making sure that any witnesses you want to call can attend the hearing and know the place, date and time of the hearing.
5. Unless there are wholly exceptional circumstances, no application for postponement due to non-availability of witnesses or for other reasons will be granted. If you do apply for a postponement you must do so in writing and state the full grounds and any other dates when you are unavailable in the six weeks following the above hearing date. If at all possible parties should seek to agree dates for the re-listing of the case and advise the Tribunal as soon as possible of those dates. Every effort will be made to accommodate the request.
6. If you are a representative, you must let those you represent know the place, date time and duration of the hearing.
7. As the claim is to be heard by an Employment Judge sitting alone you should ensure that you bring 3 copies, together with the originals (i.e. 4 sets of documents in total) of every document which you consider is relevant to your case and which you wish the Employment Judge to take into account.
8. Please let the tribunal office dealing with your case know if you, or anyone coming to the tribunal with you, has a disability which affects access to the service we provide. We will make reasonable adjustments to the way in which we deliver our service, to meet any needs identified.
9. A copy of the booklet ‘The hearing’ can be found on our website at www.justice.gov.uk/tribunals/employment/claims/booklets
10. A location map for the office can be found at www.employmenttribunals.gov.uk/HearingCentres/hearingCentres.htm
11. If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with your claim.

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**<<else\_t\_Scot\_183>>**

**<<##** 183 H & S appeal ack of application to suspend prohobition notice **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>> | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

Dear Sir/ Madam

**ACKNOWLEDGMENT OF APPLICATION FOR DIRECTION SUSPENDING PROHIBITION NOTICE**

**Health and Safety at Work Act 1974 section 24(3)(b)**

We have received your application under section 24(3)(b) of the Health and Safety at Work etc. Act 1974 for a direction suspending the operation of the prohibition notice until the appeal is determined or withdrawn.

A copy of your application has been sent to the respondent who has been given the opportunity to submit written representations by **[insert date directed by an Employment Judge, not less than 7days]**. After that period has elapsed the application will be considered further by an Employment Judge.

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**<<else\_t\_Scot\_184>>**

**<<##** 184 H & S appeal notice to respondent of application to suspend **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>> | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

Dear Sir/ Madam,

**APPLICATION FOR DIRECTION SUSPENDING PROHIBITION NOTICE**

**Health and Safety at Work Act 1974 section 24(3)(b)**

The Tribunal has received an application by the appellant under section 24(3)(b) of the Health and Safety at Work etc. Act 1974 for a direction suspending the operation of the prohibition notice until the appeal is determined or withdrawn.

A copy of the application is enclosed for the respondent. The respondent may submit written representations by **[insert date directed by the Employment Judge, not less than 7days].**

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**<<else\_t\_Scot\_185>>**

**<<##** 185 H & S appeal decision on application to suspend proibition notice **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>>  or    <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>>  delete as applicable | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

Upon the appellant’s application under section 24(3)(b) of the Health and Safety at Work etc. Act 1974 for a direction suspending the operation of the prohibition notice until the appeal is determined or withdrawn

**DECISION**

IT IS ORDERED that

**[select as appropriate]**

**/the application should not be determined separately from the full hearing of the appeal**

**/the operation of the prohibition notice be suspended until the appeal is determined or withdrawn**

**/the appellant’s application is dismissed**

**/the application be determined at a hearing at a date, time and location to be notified hereafter.**

**REASONS**

**[Enter reasons]**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employment Judge [**Judge surname]**

DATE OfF JUDGMENT **[insert date],**

Entered in register and copied to the parties

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**<<else\_t\_Scot\_186>>**

**<<##** 186 H & S appeal appointment of assessor **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>>  or    <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>>  delete as applicable | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

Dear Sir/Madam

**APPOINTMENT OF ASSESSOR**

The President/Vice President **[delete as appropriate and insert name]**, acting in accordance with section 24(4) of the Health and Safety at Work etc. Act 1974 has appointed **[enter name of assessor]** to sit with the Tribunal or Employment Judge as an assessor, being a person having special knowledge or experience in relation to the subject matter of the appeal.

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**<<else\_t\_Scot\_189>>**

**<<##** 189 EQV notice of stage 1 EV hearing **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>>  or    <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>>  delete as applicable | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

**Notice of Stage 1 Equal Value Hearing**

**The Employment Tribunals (Equal Value) Rules of Procedure 2013**

1. A Stage 1 equal value hearing will take place at **<<Hearing\_Address>>** on **<<Hearing\_Date\_Time>>** or as soon thereafter on that day as the Tribunal can hear it.

2. **<<Hearing\_Duration>>** has been allocated for the hearing. If you consider that this is likely to be insufficient, you must inform the Tribunal office within 7 days, telling us at the same time why you consider the time allocated to be insufficient and how long you think will be required.

3. Representatives are required to inform those they represent of the place, date, time and duration of the hearing.

4. If it is part of the respondent’s defence that section 69 of the Equality Act 2010 applies (material factor defence) the tribunal may, on the application of a party, hear evidence at the Stage 1 hearing on this issue before deciding whether to require an independent expert to prepare a report. If either party wishes to lead evidence on this issue, and has not yet notified the tribunal of that fact, that party should notify this office of their intention by **(insert date as directed by EJ)**.

5. In the event that you do wish to present evidence in relation to the above matter at the hearing, you are responsible for ensuring that any witnesses you wish to be heard are available and know the date, time and place of the hearing.

6. Unless there are wholly exceptional circumstances, no application for postponement due to non-availability of witnesses or for other reasons will be granted. If you do apply for a postponement you must do so in writing and state the full grounds and any other dates when you are available in the six weeks following the hearing date for hearings of up to one day. For hearings of two days or more, please provide unavailable dates for three months following the above hearing dates. You must copy any such application to the other party(ies) and notify them that they must provide any objections to the Tribunal as soon as possible. If at all possible parties should seek to agree dates for the re-listing of the case and advise the Tribunal as soon as possible of those dates. Every effort will be made to accommodate the request.

7. At the Stage 1 equal value hearing the ***Tribunal/Employment Judge*** **(delete as appropriate)** shall:

7.1. strike out the claim (or relevant part of it) if, in accordance with section 131(6) of the Equality Act 2010, the Tribunal must determine that the work of the claimant and the comparator are not of equal value

7.2. determine whether the claimant’s work is of equal value to that of the comparator (“the question”) or require an independent expert to prepare a report on the question

7.3. if the Tribunal has decided to require an independent expert to prepare a report on the question, fix a date for a further hearing, which shall be referred to as a “stage 2 equal value hearing”

7.4. if the Tribunal has not decided to require an independent expert to prepare a report on the question , fix a date for the final hearing

7.5. make such directions and orders as the Tribunal considers appropriate to ensure that the case proceeds to an expeditious hearing of the claim, including any of the standard orders set out in Rule 4 of the Employment Tribunals (Equal Value) Rules of Procedure 2013 which the Tribunal considers appropriate. (A copy of Rule 4 is set out at the end of this Notice.)

8. Before the claim (or part of it) can be struck out under 7.1, the claimant will be allowed to make representations to the Tribunal as to whether the evaluation contained in the study in question falls within paragraph (a) or (b) of section 131(6) of the Equality Act 2010.

9. The Tribunal may, on the application of a party, hear evidence and submissions on the issue contained in section 69 of the Equality Act 2010 before determining whether to require an independent expert to prepare a report under paragraph (1)(b).

10. Please let the tribunal office dealing with your case know if you, or anyone coming to the tribunal with you, has a disability which affects access to the service we provide. We will make reasonable adjustments to the way in which we deliver our service, to meet any needs identified.

11. A copy of the booklet ‘The hearing’ and expenses leaflet can be found on our website at http://www.justice.gov.uk/tribunals/employment/hearings

12. A location map for the office can be found at www.employmenttribunals.gov.uk/HearingCentres/hearingCentres.htm

13. If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with your claim.

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

Extract From Employment Tribunals (Equal Value) Rules of Procedure 2013

Standard Orders for Stage 1 Equal Value Hearing

4(1) At a Stage 1 equal value hearing a Tribunal shall, unless it considers it inappropriate to do so and subject to paragraph (2), order that:

1. before the end of the period of 14 days the claimant shall:
   1. disclose in writing to the respondent the name of any comparator, or, if the claimant is not able to name the comparator disclose information as enables which enables the respondent to identify the comparator ; and
   2. identify to the respondent in writing the period in relation to which the claimant considers that the claimant’s work and that of the comparator are to be compared;
2. before the end of the period of 28 days:
   1. where the claimant has not disclosed the name of the comparator to the respondent under sub-paragraph (a), and the respondent has been provided with sufficient detail to be able to identify the comparator, the respondent shall disclose in writing the name of the comparator to the claimant;
   2. the parties shall provide each other with written job descriptions for the claimant and any comparator;
   3. the parties shall identify to each other in writing the facts which they consider to be relevant to the question;
3. the respondent shall grant access to the respondent’s premises during a period specified in the order to allow the claimant and his or her representative to interview any comparator;
4. the parties shall, before the end of the period of 56 days present to the Tribunal an agreed written statement specifying:
   1. job descriptions for the claimant and any comparator;
   2. the facts which both parties consider are relevant to the question;
   3. facts on which the parties disagree (as to the fact or as to the relevance to the question) and a summary of their reasons for disagreeing;
5. the parties shall, at least 56 days before the final hearing, disclose to each other, to any independent or other expert and to the Tribunal written statements of any facts on which they intend to rely in evidence at the final hearing; and
6. the parties shall, at least 28 days before the final hearing, present to the Tribunal a statement of facts and issues on which the parties are in agreement, a statement of facts and issues on which the parties disagree and a summary of their reasons for disagreeing.

4(2) The Tribunal may add to , vary or omit any of the standard orders in paragraph (1).

**<<else\_t\_Scot\_190>>**

**<<##** 190 EQV order issued after stage 1 independent expert appointed **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>>  or    <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>>  delete as applicable | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

**ORDER ARISING FROM STAGE 1**

**EQUAL VALUE HEARING**

**The Employment Tribunals (Equal Value) Rules of Procedure 2013**

Having conducted a Stage 1 equal value hearing in terms of the Employment Tribunals (Equal Value) Rules of Procedure 2013 the tribunal orders that:

1. A member of the panel of independent experts designated by the Advisory Conciliation and Arbitration Service for the purposes of Section 131(8) of the Equality Act 2010 be required to prepare a report in respect of the following question:

“whether the work performed by the claimant **[as at - enter date] [between – enter dates]** was of equal value (in terms of the demands made on the claimant) to the work performed by any (and if so, which) of the comparator(s) and whether that situation continues”.

2. Parties shall disclose to the independent expert all information which they are required by order to disclose or agree between each other during the course of these proceedings.

3. Before **[insert the date which is the end of the period of 14 days after the date of the Stage 1 equal value hearing]** the claimant shall:

3.1 disclose in writing to the respondent the name of any comparator, or, if the claimant is not able to name the comparator, the claimant shall instead disclose such information as enables the comparator to be identified by the respondent; and

3.2 identify to the respondent in writing the period in relation to which the claimant considers that the claimant’s work and that of the comparator are to be compared.

4. Before **[insert the date which is the end of the period of 28 days after the date of the Stage 1 equal value hearing]**:

4.1 where the claimant has not disclosed the name of the comparator to the respondent, if the respondent has been provided with sufficient detail to be able to identify the comparator, the respondent shall disclose in writing the name of the comparator to the claimant;

4.2 the parties shall provide each other with written job descriptions for the claimant and any comparator;

4.3 the parties shall identify to each other in writing the facts which they consider to be relevant to the question.

5. The respondent is required to grant access to the claimant and the claimant’s representative (if any) to the respondent’s premises during the period **[insert the period specified by the Tribunal or Employment Judge]** in order for the claimant or representative to interview any comparator.

6. The respondent is required to grant the independent expert access to the respondent’s premises during a period specified by the Tribunal or Employment Judge in order for the independent expert to conduct interviews with persons identified as relevant by the independent expert.

7. The parties shall before [**insert the date which is the end of the period of 56 days after the date of the Stage 1 equal value hearing]** present to the Tribunal a joint agreed statement in writing of the following matters:

7.1 job descriptions for the claimant and any comparator;

7.2 facts which both parties consider are relevant to the question;

7.3 facts on which the parties disagree (as to the fact or as to the relevance to the question) and a summary of their reasons for disagreeing.

8. The parties shall before **[insert a date at least 56 days prior to the final hearing]** disclose to each other, to any independent or other expert and to the Tribunal written statements of any facts on which they intend to rely in evidence at the final hearing.

9. The parties shall before **[insert a date at least 28 days prior to the final hearing]** present to the Tribunal a statement of facts and issues on which the parties are in agreement, a statement of facts and issues on which the parties disagree and a summary of their reasons for disagreeing.

10. The Stage 2 equal value hearing is listed with the agreement of the parties for hearing at **<<Hearing\_Address>>** on **<<Hearing\_Date\_Time>>**. No postponement of that hearing date will be granted, unless there are exceptional unforeseen circumstances.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employment Judge [**Judge surname]**

Date **[insert date],**

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**Note:**

(1) You may make an application under Rule 29 for this Order to be varied, suspended or set aside. Your application should set out the reason why you say that the Order should be varied, suspended or set aside. **You must confirm when making the application that you have copied it to the other party(ies) and notified them that they should provide the Tribunal with any objections to the application as soon as possible.**

(2) If this order is not complied with, the Tribunal may make an Order under Rule 76(2) for expenses or preparation time against the party in default.

(3) If this order is not complied with, the Tribunal may strike out the whole or part of the claim or response under Rule 37.

**<<else\_t\_Scot\_191>>**

**<<##** 191 EQV Requirement expert report **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | [**Insert name and address of independent expert**] | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

**Requirement for Expert to Prepare a Report**

**The Employment Tribunals (Equal Value) Rules of Procedure 2013**

1. This requirement is addressed to **[Insert Independent Expert name & address]**, being a member of the panel of independent experts nominated by the Advisory Conciliation and Arbitration Service for the purpose of Section 131 (8) of the Equality Act 2010.

2. Pursuant to an Order of the Tribunal made on **[insert date of order]** (a copy of which Order is annexed to this document) you are hereby required to prepare a report as required by that Order.

3. The following are the particulars relevant to this requirement ascertained to date:

3.1 The [first] claimant is: <<Claimant>>

of: **[Insert claimant address]**

and is/was employed at: **[Insert respondent organisation**

as a: **[insert]**

on pay scale/grade: **[insert]**

3.2 The [first] claimant’s representative is: [**Insert claimant representative name]**

of: **[insert rep’s firm name and address]**

reference: **[insert]**  telephone: **[insert]**

3.3 The respondent is <<Respondent>>

of: **[Insert respondent address]**

telephone: [**insert**]

3.4 The respondent’s representative is: [**Insert respondent’s representative name]**

of: **[Insert respondent’s representative’s firm and address]**

reference:  **[insert]** telephone: **[Insert ]**

3.5 The [first] comparator with reference to whose work the question arises

is: **[Insert ]**

employed as: **[Insert ]**

at: **[Insert ]**

on pay scale/grade: **[Insert ]**

3.6 The question to be the subject of your report is as set out in the attached Order.

3.7 Your report should be sent to the Tribunal office at **[ insert office address ]** quoting the case number in the heading to this document, by no later than **[insert date]**.

4. You have the following duties to the Tribunal:

4.1 assist it in furthering the overriding objective in rule 2 of the Employment Tribunals Rules of Procedure 2013 ;

4.2 comply with the requirements of these Rules including the Employment Tribunals (Equal Value) Rules of Procedure 2013 contained in Schedule 3 and any Orders made by the Tribunal or an Employment Judge in relation to the proceedings.

4.3 keep the Tribunal informed of any delay in complying with any Order in the proceedings, with the exception of minor or insignificant delays in compliance;

4.4 comply with any timetable imposed by the Tribunal or Employment Judge insofar as this is reasonably practicable;

4.5 inform the Tribunal or an Employment Judge on request by it or him/her of progress in the preparation of the independent expert’s report;

4.6 prepare a report on the question based on the facts relating to the question and (subject to rule 13 of the Employment Tribunals (Equal Value) Rules of Procedure 2013 ) send it to the Tribunal and the parties;

4.7 make yourself available to attend hearings in the proceedings.

5. You have the right to make an application to the Tribunal for any Order or for a hearing to be held as if you were a party to the proceedings.

6. You are requested to acknowledge receipt of this Requirement document by return.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employment Judge [**Judge surname]**

Date **[insert date],**

|  |
| --- |
| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**NOTE**

A copy of this Requirement document is sent to all of the parties or (as appropriate) their representative.

**<<else\_t\_Scot\_192>>**

**<<##** 192 EQV order issued after stage 1 no independent expert **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>>  or    <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>>  delete as applicable | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

**ORDER ARISING FROM STAGE 1**

**EQUAL VALUE HEARING**

**The Employment Tribunals (Equal Value) Rules of Procedure 2013**

Having conducted a Stage 1 equal value hearing in terms of the Employment Tribunals (Equal Value) Rules of Procedure 2013 and having decided to determine itself the question of whether the claimant’s work is of equal value to the comparator within the meaning of section 65(1)(6) of the Equality Act 2010 the tribunal orders that:

1. Before **[insert the date which is the end of the period of 14 days after the date of the Stage 1 equal value hearing]** the claimant shall:

1.1 Disclose in writing to the respondent the name of any comparator, or, if the claimant is not able to name the comparator, the claimant shall instead disclose such information as enables the comparator to be identified by the respondent; and

1.2 Identify to the respondent in writing the period in relation to which the claimant considers that the claimant’s work and that of the comparator are to be compared.

2. Before [**insert the date which is the end of the period of 28 days after the date of the Stage 1 equal value hearing]:**

2.1 where the claimant has not disclosed the name of the comparator to the respondent, if the respondent has been provided with sufficient detail to be able to identify the comparator, the respondent shall disclose in writing the name of the comparator to the claimant;

2.2 the parties shall provide each other with written job descriptions for the claimant and any comparator;

2.3 the parties shall identify to each other in writing the facts which they consider to be relevant to the question.

3. The respondent is required to grant access to the claimant and the claimant’s representative (if any) to the respondent’s premises during the period **[insert the period specified by the Tribunal or Employment Judge]** in order for the claimant or representative to interview any comparator.

4. The parties shall before **[insert the date which is the end of the period of 56 days after the date of the Stage 1 equal value hearing**] present to the Tribunal a joint agreed statement in writing of the following matters:

4.1 job descriptions for the claimant and any comparator;

4.2 facts which both parties consider are relevant to the question;

4.3 facts on which the parties disagree (as to the fact or as to the relevance to the question) and a summary of their reasons for disagreeing.

5. The parties shall before **[insert a date at least 56 days prior to the final hearing]** disclose to each other, to any expert instructed by a party and to the Tribunal written statements of any facts on which they intend to rely in evidence at the final hearing.

6. The parties shall before **[insert a date at least 28 days prior to the final hearing]** present to the Tribunal a statement of facts and issues on which the parties are in agreement, a statement of facts and issues on which the parties disagree and a summary of their reasons for disagreeing.

7. The final hearing of this claim shall take place at **<<Hearing\_Address>>** at **<<Hearing\_Date\_Time>>** or as soon after that as the Tribunal can hear it.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employment Judge [**Judge surname]**

Date **[insert date],**

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| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**Note:**

(1) You may make an application under Rule 30 for this Order to be varied, suspended or set aside. Your application should set out the reason why you say that the Order should be varied, suspended or set aside. **You must confirm when making the application that you have copied it to the other party(ies) and notified them that they should provide the Tribunal with any objections to the application as soon as possible.**

(2) If this order is not complied with, the Tribunal may make an Order under Rule 76 (2) for expenses or preparation time against the party in default.

(3) If this order is not complied with, the Tribunal may strike out the whole or part of the claim or response under Rule 37.

**<<else\_t\_Scot\_193>>**

**<<##** 193 EQV receipt of independent expert report **##>>**



**EMPLOYMENT TRIBUNALS**

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| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>>  or    <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>>  delete as applicable | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

Dear Sir/Madam

**REPORT OF INDEPENDENT EXPERT**

**Employment Tribunals (Equal Value) Rules of Procedure 2013**

Enclosed with this letter is a copy of the report of the independent expert.

The final hearing has already been fixed for **<<Hearing\_Date>>**. The Employment Judge directs the parties to inform the Tribunal, in writing, within 21 days of the date of this letter whether:

1. A party intends to argue that the report of the independent expert should not be received into evidence and, if so, the basis for such argument.

2. A party requires the attendance of the independent expert to give evidence.

3. Any question requires further consideration by the independent expert and, if so, what and why?

4. A party intends to call a witness to give expert evidence (if so, the Employment Judge draws your attention to Rule 10 of the Employment Tribunals (Equal Value) Rules of Procedure 2013).

5. The respondent intends to call evidence in support of a material factor defence.

6. In light of the enclosed report, a party intends to concede any matter and, if so, the nature of that concession.

7. The parties consider that a preliminary hearing is desirable prior to the final hearing and, if so, for what purpose?

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| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**<<else>>**

**<<##** 194 EQV notice of stage 2 equal valu hearing **##>>**



**EMPLOYMENT TRIBUNALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| To: | <<claimant\_full\_name>>,  <<claimant\_addressUK>>  <<claimant\_email\_address>>  or    <<respondent\_full\_name>>,  <<respondent\_addressUK>>  <<respondent\_email\_address>>  delete as applicable | | | <<Court\_Address>>  <<Court\_Telephone>>  <<Court\_Fax>>  <<Court\_DX>>  **e-mail: <<Court\_Email>>** |
| Your Ref | |  |  | |
| Date | | <<TODAY\_DATE>> |

**Case Number:** <<Case\_No>>

|  |  |  |
| --- | --- | --- |
| **Claimant**  <<Claimant>> | **v** | **Respondent**  <<Respondent>> |

Dear Sir/Madam

**Notice of Stage 2 Equal Value Hearing**

**Employment Tribunals (Equal Value) Rules of Procedure 2013**

1. A Stage 2 equal value hearing will take place at **<<Hearing\_Address>>** on **<<Hearing\_Date\_Time>>** or as soon thereafter on that day as the Tribunal can hear it.
2. **<<Hearing\_Duration>>** has been allocated for the hearing. If you consider that this is likely to be insufficient, you must inform the Tribunal office within 7 days, telling us at the same time why you consider the time allocated to be insufficient and how long you think will be required.
3. Representatives are required to inform those they represent of the place, date, time and duration of the hearing.
4. You are responsible for ensuring that all the witnesses (if any) you may wish to call can attend and know the date, time and place of the hearing.
5. Unless there are wholly exceptional circumstances, no application for postponement due to non-availability of witnesses or for other reasons will be granted. If you do apply for a postponement you must do so in writing and state the full grounds and any other dates when you are available in the six weeks following the hearing date for hearings of up to one day. For hearings of two days or more, please provide unavailable dates for three months following the above hearing dates. You must copy any such application to the other party(ies) and notify them that they should provide any objections to the Tribunal as soon as possible. If at all possible parties should seek to agree dates for the re-listing of the case and advise the Tribunal as soon as possible of those dates. Every effort will be made to accommodate the request.
6. At the hearing, the Tribunal shall:
   1. make a determination of such facts as the parties cannot agree and which relate to the question of whether the claimant’s work is of equal value to that of the comparator(s)
   2. require the independent expert to prepare a report on the basis of the facts which have been agreed between the parties or determined by the Tribunal (hereafter “the facts relating to the question”)
   3. make the standard Orders as set out in Rule 7 of the Employment Tribunals (Equal Value) Rules of Procedure 2013 unless it considers it inappropriate to do so. (A copy of Rule 7 is set out at the end of this Notice.)
   4. make any other Orders which the Tribunal considers appropriate.
   5. fix a date for the final hearing.
7. Your attention is drawn to the terms of rule 6(2) of the Employment Tribunals (Equal Value) Rules of Procedure 2013 which specifies that, subject to any application made by the independent expert for some or all of the facts relating to the question to be amended, supplemented or omitted, those facts shall, in relation to the question, be the only facts on which the tribunal shall rely at the final hearing.
8. Please let the tribunal office dealing with your case know if you, or anyone coming to the tribunal with you, has a disability which affects access to the service we provide. We will make reasonable adjustments to the way in which we deliver our service, to meet any needs identified.
9. A copy of the booklet ‘The hearing’ and expenses leaflet can be found on our website at <http://www.justice.gov.uk/tribunals/employment/hearings>
10. A location map for the office can be found at [www.employmenttribunals.gov.uk/HearingCentres/hearingCentres.htm](http://www.employmenttribunals.gov.uk/HearingCentres/hearingCentres.htm)
11. If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with your claim.

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| Yours faithfully,  <<Clerk**>>**  For the Tribunal Office |

**Extract from Employment Tribunals (Equal Value) Rules of Procedure 2013**

Standard orders for Stage 2 equal value hearing

7(1) At a stage 2 equal value hearing a Tribunal shall, unless it considers it inappropriate to do so, order that:

1. by a specified date, the independent expert shall prepare his report on the question and shall (subject to rule 13) send copies of it to the parties and to the Tribunal; and
2. the independent expert shall prepare his report on the question on the basis only of the facts relating to the question.

7(2) The Tribunal may add to, vary or omit any of the standard orders in paragraph (1).

**<<es\_>>**