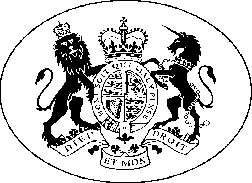
**<<cs\_t\_Scot\_8>>**

**<<## 8 Extension of time granted ##>>**



**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: | | <<claimant\_reference>>  <<TODAY\_DATE>> |  |

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

|  |  |  |
| --- | --- | --- |
| **Claimant**  **<<Claimant>>** | **v** | **Respondent**  **<<Respondent>>**  **<<resp\_others>>** |

Dear Sir / Madam,

**EXTENSION OF TIME FOR RESPONSE GRANTED**

**Employment Tribunals Rules of Procedure 2013**

Employment Judge decided it was appropriate to consider the respondent’s application without a hearing.

*(Insert reasons if hearing requested)*

Having considered the application, the Judge has extended the time within which to present a response until [insert specific date from Employment Judge referral].

(*only where judgment has been issued under Rule 21*)

The judgment under Rule 21 issued on is set aside.

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_9>>**

**<<9 Refusal of extension of time>>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

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

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

|  |  |  |
| --- | --- | --- |
| **Claimant**  **<<Claimant>>** | **v** | **Respondent**  **<<Respondent>>**  **<<resp\_others>>** |

Dear Sir / Madam,

**EXTENSION OF TIME FOR RESPONSE REFUSED**

**Employment Tribunals Rules of Procedure 2013**

I refer to the respondent’s application of [insert date of letter] for an extension of time within which to present its response.

Employment Judge decided that the application should be considered without a hearing. *(Insert reasons if hearing requested))*

The application has been refused by the Judge for the following reasons: [*delete as appropriate*]

* It did not state that the application had been copied to the claimant
* The application did not set out the reason why the extension was sought
* (*only where time has already expired*,) It did not include a draft of the proposed response or an explanation of why that was not possible
* [insert other reasons from Employment Judge referral]

The respondent should note that the response must be presented by the date given previously that is [insert original date by which response must be returned].

OR

The rejection of the response stands and the claim will proceed as undefended.

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_10>>**

**<< 10 Rejection of response by staff >>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

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

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

|  |  |  |
| --- | --- | --- |
| **Claimant**  **<<Claimant>>** | **v** | **Respondent**  **<<Respondent>>**  **<<resp\_others>>** |

Dear Sir / Madam,

**REJECTION OF RESPONSE**

**Employment Tribunals Rules of Procedure 2013**

I have decided in accordance with Rule 17 that your response cannot be accepted because of the following defect: [*delete as appropriate*]

(a) It has not been presented on a prescribed form as required by Rule 16 of the above Rules. I enclose a prescribed response form which you must use to respond to the claim or you may submit your response via our website at

[www.justice.gov.uk/tribunals/employment/claims/responding](http://www.justice.gov.uk/tribunals/employment/claims/responding)

*[Insert if respondent still has time to submit a response]*

**Please note that the time limit for presentation of your response has not altered. It must be returned by** [*insert original date for return of response*].

*[Insert the following 2 paragraphs if no time remaining*]

As the statutory time limit for entering a response has now ended, your response will not be accepted unless you make an application in writing for an extension of time to return the response and this is granted by an Employment Judge.

Any such application must:

* be copied to the claimant(s)
* set out the reason why the extension is sought
* include a draft of the response you propose to present
* say if you wish to request a hearing to consider the application.

(b) You have not provided the following information:

*[delete as necessary*]

* your full name
* your address
* whether you wish to resist any part of the claim

*[insert if respondent still has time to perfect the response]*

As a result, I am returning your response form to you. If you want to defend the claim, you must provide this information and return the amended form (or the fresh response form provided) to the tribunal office at the address above quoting the case number. Alternatively, you may resubmit your response via our website at

[www.justice.gov.uk/tribunals/employment/claims/responding](http://www.justice.gov.uk/tribunals/employment/claims/responding).

If you do not resubmit your form, a judgment may be issued against you. **Please note that the original time limit for presenting your response has not changed**.

*[insert the following 2 paragraphs if the respondent returned the response within the time limit and there is no time remaining]*

As a result, I am returning your response form to you. As the statutory time limit for entering a response has now ended, your response will not be accepted unless you make an application in writing for an extension of time to return the response and this is granted by an Employment Judge. I enclose a fresh response form.

Any such application must:

* be copied to the claimant(s)
* set out the reason why the extension is sought
* include a draft of the response you propose to present
* say if you wish to request a hearing to consider the application.

*(insert following in all cases)*

You have the right to apply for a reconsideration of this decision to reject the response. If you want to make such an application you must do so in writing within 14 days of the date of this letter quoting the above case number. You must explain why you believe the decision not to accept your response is wrong or rectify the identified defect. You should also state whether you request a hearing to consider the application. **You must confirm that you have copied the application to the other party(ies) and notified them that they should send any objections to the Tribunal as soon as possible.**

Please refer to the booklet ‘Responding to a claim to an Employment Tribunal’ that can be found at [www.justice.gov.uk/tribunals/employment/claims/booklets](http://www.justice.gov.uk/tribunals/employment/claims/booklets).

If you have any questions, please ring our enquiry line on 0141 354 8574.

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_11>>**

**<< 11 Rejection of response by judge >>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

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

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

|  |  |  |
| --- | --- | --- |
| **Claimant**  **<<Claimant>>** | **v** | **Respondent**  **<<Respondent>>**  **<<resp\_others>>** |

Dear Sir / Madam,

**REJECTION OF RESPONSE**

**Employment Tribunals Rules of Procedure 2013**

We have received your response to the claim shown above in this office. Employment Judge has decided that the response should be rejected under Rule 18 of the above Rules because your response has not *[delete as appropriate]* [been presented within the statutory time limit] [been presented within the extension of time which was granted to you which expired on [*insert date].*

[*delete as appropriate*]

* You have made no application/ further application for an extension of time. As a result, the response cannot be accepted.
* Your response was accompanied by an application for an extension of time. However, *(delete as appropriate)* you did not give a reason why the time limit should be extended/ you did not confirm that you had copied the application to the other party(ies). As a result, the application for extension of time cannot be considered and your response cannot be accepted.
* The Employment Judge has considered your application for an extension of time and has refused it because [*insert reasons given by Judge*]. As a result, the response cannot be accepted.

The claim will proceed as undefended and you will only be able to participate in any hearing to the extent permitted by an Employment Judge.

[short period only insert if appropriate*–* The hearing listed for *(insert date)* is cancelled.]

You have the right to apply for a reconsideration of this decision to reject the response. If you want to make such an application you must do so in writing within 14 days of the date of this letter quoting the above case number. You must explain why you believe the decision not to accept your response is wrong or rectify the identified defect. You should also state whether you request a hearing to consider the application. **You must copy your application to the other party(ies) and confirm to the tribunal that you have done so.**

If you believe that the decision to reject your response is wrong in law, you may also appeal to the Employment Appeal Tribunal as long as you do so within 42 days of the date of this letter.

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_12>>**

**<< 12 Reconsideration of rejection of response >>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

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

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

|  |  |  |
| --- | --- | --- |
| **Claimant**  **<<Claimant>>** | **v** | **Respondent**  **<<Respondent>>**  **<<resp\_others>>** |

Dear Sir / Madam,

**RECONSIDERATION OF DECISION TO REJECT RESPONSE**

**Employment Tribunals Rules of Procedure 2013**

I have received your application for a reconsideration of the decision to reject your response.

*(delete as appropriate)*

Your application has not been considered as

* it was not presented in time
* it did not explain why the decision was wrong
* it did not rectify the identified defect

OR

Your application has been considered by Employment Judge who having reconsidered the decision has decided that:

[delete as necessary]

* your response can be accepted. Your response will be treated as presented on [*insert date of application if identified defect has been rectified]*

*[otherwise insert date of first presentation].*

(insert if rule 21 judgment issued) The judgment issued on (date) is set aside

* your response cannot be accepted for the reasons previously given in our letter dated [*insert date*].
* your response cannot be accepted because *[set out Employment Judge’s reasons if different].*

*[Insert only if the response remains rejected in whole or part]*

If you believe that this decision is wrong in law, you may appeal in writing to the Employment Appeal Tribunal explaining your grounds of appeal. Your appeal must reach them within 42 days of the date of this letter.

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_13>>**

**<< 13 Response accepted >>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

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

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

|  |  |  |
| --- | --- | --- |
| **Claimant**  **<<Claimant>>** | **v** | **Respondent**  **<<Respondent>>**  **<<resp\_others>>** |

Dear Sir / Madam,

**ACKNOWLEDGEMENT OF RESPONSE**

**Employment Tribunals Rules of Procedure 2013**

Your response has been accepted.

I have sent a copy to the claimant and Acas.

Where the name given by the respondent on the Response differs from that given on the claim, we shall assume unless we hear from the claimant to the contrary, in writing within 7 days of the date of this letter, that the name given by the respondent is correct.

The file will now be considered by an Employment Judge with a view to confirming that there are arguable complaints and defences within the jurisdiction of the Tribunal. You will be notified of further procedure and any case management orders in due course. You may be required to provide further information.

**If you have already been given notice of a preliminary or final hearing, you should assume that will take place unless you hear from us to the contrary.**

Please note: Rule 92 requires that if you write to the Tribunal you must copy your letter or email with all attachments to the other party or parties to the proceedings and confirm to us that you have done so. Failure to do this is likely to mean that the Tribunal will not deal with your correspondence until you confirm that this has been complied with.

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_14>>**

**<< 14 Notice to claimant response accepted >>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

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

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

|  |  |  |
| --- | --- | --- |
| **Claimant**  **<<Claimant>>** | **v** | **Respondent**  **<<Respondent>>**  **<<resp\_others>>** |

Dear Sir / Madam,

**RESPONSE ACCEPTED**

**Employment Tribunals Rules of Procedure 2013**

The enclosed response has been accepted.

I have sent a copy to Acas.

Where the name given by the respondent on the Response differs from that given on the claim, we shall assume unless we hear from you to the contrary, in writing within 7 days of the date of this letter, that the name given by the respondent is correct.

The file will now be considered by an Employment Judge with a view to confirming that there are arguable complaints and defences within the jurisdiction of the Tribunal. You will be notified of further procedure and any case management orders in due course. You may be required to provide further information.

**If you have already been given notice of a preliminary or final hearing, you should assume that will take place unless you hear from us to the contrary.**

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else>>**

**<< 14.A Notice to respondent that part of the claim accepted after reconsideration >>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

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

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

|  |  |  |
| --- | --- | --- |
| **Claimant**  **<<Claimant>>** | **v** | **Respondent**  **<<Respondent>>**  **<<resp\_others>>** |

Dear Sir / Madam,

**ACCEPTANCE OF ADDITIONAL PART OF CLAIM**

**Employment Tribunals Rules of Procedure 2013**

We wrote to you on **[insert date]** to inform you that part of a claim *(specify complaint previously accepted)* made against you had been accepted by *(insert name of claimant)* and that part of the claim *( specify complaint previously rejected*) had not been accepted..

The complaint of *(insert complaint(s) now accepted)* has now been accepted. It is treated as having been presented on (insert date of first presentation or date defect rectified as directed by EJ). This means that you are now required to enter a response to **that part of the claim** within 28 days of the date of this letter.

To enable you to do this we are sending you another copy of the claim form/ the amended claim form that has now been accepted. *(delete as appropriate)***You do not need to repeat any response you have already made to those parts of the claim accepted previously**.

You should make your response to the complaint of (*insert complaint now accepted*) by completing and returning the enclosed response form or by responding online by accessing our website at [www.justice.gov.uk/forms/hmcts/employment](http://www.justice.gov.uk/forms/hmcts/employment).

**If you wish to apply for an extension of time to submit your response** **to this part of the claim you must do so in writing setting out the reason why the extension is sought.** The application must be copied to the claimant(s) and you **must** state in your application that you have done so. Unless the application is made before [*insert date 28 days from date of this letter*], it must be accompanied by a draft of the proposed response to this part of the claim or an explanation of why it is not possible to provide this. You should say if you wish to request a hearing to consider the application for an extension of time.

**If your response is not received by** *[insert date 28 days from date of this letter]* **unless an extension of time has been agreed by an Employment Judge, you will not be entitled to defend this part of the claim.** If you fail to provide the required information set out in the response form, your response cannot be accepted and you will not be entitled to defend this part of the claim. Where no response is received or accepted an Employment Judge may issue a judgment against you in respect of this part of the claim without a hearing. You will be sent a copy of any judgments, orders or notices of hearing. You will only be allowed to participate in any hearing to the extent permitted by an Employment Judge.

A copy of the claim has been sent to the Advisory Conciliation and Arbitration Service (Acas) whose services are confidential and free of charge. If you think it may be possible to settle the case through conciliation you should contact Acas and speak to a conciliation officer.

**In all future correspondence please quote the case number shown above.**

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<es\_>>**