**<<cs\_t\_Scot\_26>>**

**<<## 26 Initial consideration further information required ##>>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

|  |  |  |  |
| --- | --- | --- | --- |
| 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,

**INITIAL CONSIDERATION OF CLAIM AND RESPONSE – further INFORMATION REQUIRED**

**Employment Tribunals Rules of Procedure 2013**

Employment Judge [] is considering the file with a view to confirming that there are arguable complaints and defences within the jurisdiction of the Tribunal. The Employment Judge requires you to provide the following further information by :

[*insert from EJ referral*]

You must copy your response to the other party(ies) as well as to the Tribunal and state when replying that you have done so.

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_27>>**

**<<## 27 Notice and order that claim will be dismissed after initial consideration ##>>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**NOTICE AND ORDER**

**Employment Tribunals Rules of Procedure 2013**

**Rule 27 (1) INITIAL CONSIDERATION**

1 Employment Judge [insert ] has considered the file (and any further information provided) under Rule 26 of the Rules of Procedure and is of the view that *(delete as appropriate)*

* the Tribunal has no jurisdiction to consider the claim.
* the Tribunal has no jurisdiction to consider the complaint of ( )
* the claim has no reasonable prospect of success.
* the complaint of ( ) (*insert from referral*) has no reasonable prospect of success.

for the following reasons:

[insert reasons from Judge’s referral]

2 Employment Judge therefore **ORDERS** that the claim/ complaint of [insert details if part of claim only] shall be dismissed on [*insert date as directed by EJ]* without further order unless before that date the claimant has presented written representations to the Tribunal explaining why the claim (or relevant part of the claim) should not be dismissed.

3 The claimant should copy any representations to the respondent(s) as well as to the Tribunal and must confirm to the Tribunal that he/she has done so.

1. If representations are received within the time limit they will be considered by an Employment Judge who may permit the claim (or relevant part) to proceed or fix a hearing to decide if it should be permitted to proceed. The respondent may, but need not, attend and participate in such a hearing.

Employment Judge: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**<<else\_t\_Scot\_28>>**

**<<## 28 Notice and order that the response to be dismissed after initial consideration ##>>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**NOTICE AND ORDER**

**Employment Tribunals Rules of Procedure 2013**

**Rule 28 (1) INITIAL CONSIDERATION**

1 Employment Judge [] has considered the file (and any further information provided) under Rule 26 of the Rules of Procedure and considers that *(delete as appropriate)*

* the response has no reasonable prospect of success
* the response to the complaint of ( ) (*insert from referral*) has no reasonable prospect of success

for the following reasons:

*[insert reasons from Judge’s referral*]

2 Employment Judge therefore **ORDERS** that the response/ the response to the complaint of [*insert details if part of response only*] shall be dismissed on [*insert date as directed by EJ]* without further order unless before that date the respondent has presented written representations to the Tribunal explaining why the response (or part of the response) should not be dismissed.

3 The respondent should copy any representations to the claimant(s) as well as to the Tribunal and must confirm to the Tribunal that it has done so.

1. If representations are received within the time limit they will be considered by an Employment Judge who may permit the response (or relevant part) to proceed or fix a hearing to decide if it should be permitted to proceed. The claimant may, but need not, attend and participate in such a hearing.

Employment Judge: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**<<else\_t\_Scot\_29>>**

**<<## 29 Claim dismissed under Rule 27 ##>>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

|  |  |  |  |
| --- | --- | --- | --- |
| 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,

**CLAIM (OR PART OF CLAIM) DISMISSED**

**Employment Tribunals Rules of Procedure 2013**

On [*insert date notice was sent that EJ considering dismissal*] parties were notified that an Employment Judge was of the view that the claim ( or part of the claim) had no reasonable prospect of success / was one which the Tribunal did not have jurisdiction to consider (*delete as appropriate*)and were sent a copy of the Judge’s Order that the claim ( or part of the clam) would be dismissed unless the claimant presented written submissions before (*insert date*) explaining why it should not be dismissed.

No written representations have been received from the claimant by [*insert date from notice*] and therefore the claim/complaint of (*insert details from notice*) was dismissed on that date under Rule 27 of the Employment Tribunals Rules of Procedure.

You have the right to apply for a reconsideration of the judgment. If you want to apply, you must do so in writing within 14 days of the date of this letter and copy your application to the other party(ies). Your application must confirm that you have copied the application to the other party(ies) and must say why the judgment requires to be reconsidered. An Employment Judge will decide whether it is necessary in the interests of justice to do so.

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_30>>**

**<<## 30 Response dismissed under Rule 29 ##>>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

|  |  |  |  |
| --- | --- | --- | --- |
| 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,

**RESPONSE (OR PART OF RESPONSE) DISMISSED**

**Employment Tribunals Rules of Procedure 2013**

On [*insert date notice was sent that EJ considering dismissal*] parties were notified that an Employment Judge was of the view that the response (or part of the response) had no reasonable prospect of successand were sent a copy of the Judge’s Order that the response (or relevant part) would be dismissed unless the respondent presented written submissions before (*insert date*) explaining why it should not be dismissed.

No written representations have been received from the respondent by [*insert date from notice*] and therefore the response/response to the complaint of (*insert details from notice*) was dismissed on that date under Rule 28 of the Rules of Procedure.

*[Insert the following paragraph if Rule 21 judgment has been issued*

The enclosed judgment has been issued under Rule 21 of the Rules of Procedure.

[short period only insert *–* The hearing listed for **[insert\_date]**

is cancelled.]

[insert **one** of the following paragraphs if Rule 21 judgment deals only with liability]

* As the judgment deals with liability only, a notice of hearing to determine remedy will be sent separately

OR

* The hearing listed for will be converted to deal with remedy only.

[insert one of the following paragraphs if Rule 21 judgment deals with only part of claim]

* As the judgment deals only with the complaint of ( ) a notice of hearing to determine the remainder of the claim will be sent separately

OR

* The hearing listed for will be converted to deal with the remainder of the claim, including remedy so far as not already determined.

You have the right to apply for a reconsideration of the judgment. If you wish to make such an application you must do so in writing within 14 days of the date of this letter and copy your application to the other party(ies). Your application must confirm that you have copied the application to the other party(ies) and must say why the judgment requires to be reconsidered. An Employment Judge will decide whether it is necessary in the interests of justice to do so.

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_31>>**

**<<## 31 Claim allowed to proceed after representations ##>>**



**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,

**CLAIM (OR PART OF CLAIM) ALLOWED TO PROCEED**

**Employment Tribunals Rules of Procedure 2013 Rule 27(3)**

On [*insert date notice was sent that EJ considering dismissal*] parties were notified that an Employment Judge was of the view that [the claim (or part of the claim) had no reasonable prospect of success] [the Tribunal does not have jurisdiction to consider the claim or part of the claim] *(delete as appropriate)* and were sent a copy of the Judge’s Order that the claim would be dismissed unless the claimant presented written submissions before (*insert date*) explaining why it should not be dismissed.

Written representations have been received from the claimant. They have been considered by Employment Judge who has decided that the claim/ the complaint(s) of *(insert from referral*) shall be allowed to proceed.

*(delete as appropriate)*

The Employment Judge has issued the enclosed case management orders/ The Employment Judge has ordered that (*insert directions from referral*)

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_32>>**

**<<## 32 Response allowed to proceed after representation ##>>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

|  |  |  |  |
| --- | --- | --- | --- |
| 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,

**RESPONSE (OR PART OF RESPONSE) ALLOWED TO PROCEED**

**Employment Tribunals Rules of Procedure 2013 Rule 28 (3)**

On [*insert date notice was sent that EJ considering dismissal*] parties were notified that an Employment Judge was of the view that the response ( or part of the response) had no reasonable prospect of success and were sent a copy of the Judge’s Order that the response (or relevant part) would be dismissed unless the respondent presented written submissions before (*insert date*) explaining why it should not be dismissed.

Written representations have been received from the respondent. They have been considered by Employment Judge who has decided that the response/ response to the complaint(s) of *(insert from referral*) shall be allowed to proceed.

*(delete as appropriate)*

The Employment Judge issued the enclosed case management orders/The Employment Judge has ordered that:

(*insert from referral*)

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else\_t\_Scot\_33>>**

**<<## 33 Initial consideration complete – case management orders issued ##>>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

|  |  |  |  |
| --- | --- | --- | --- |
| 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,

**INITIAL CONSIDERATION OF CLAIM AND RESPONSE completed**

**case management orders**

**Employment Tribunals Rules of Procedure 2013**

Employment Judge has considered the file and has not dismissed the claim or the response on initial consideration. The claim will now proceed and the Employment Judge has issued the enclosed case management orders/ has ordered as follows:

[*insert from EJ referral*]

Yours faithfully,

<<Clerk>>

For the Tribunal Office

**<<else>>**

**<<## 30 Response dismissed under Rule 28 ##>>**



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**RESPONSE (OR PART OF RESPONSE) DISMISSED**

**Employment Tribunals Rules of Procedure 2013**

On [*insert date notice was sent that EJ considering dismissal*] parties were notified that an Employment Judge was of the view that the response ( or part of the response) had no reasonable prospect of successand were sent a copy of the Judge’s Order that the response (or relevant part) would be dismissed unless the respondent presented written submissions before (*insert date*) explaining why it should not be dismissed.

No written representations have been received from the respondent by [*insert date from notice*] and therefore the response/response to the complaint of (*insert details from notice*) was dismissed on that date under Rule 28 of the Rules of Procedure.

*[Insert the following paragraph if Rule 21 judgment has been issued*

The enclosed judgment has been issued under Rule 21 of the Rules of Procedure.

[short period only insert *–* The hearing listed for

is cancelled.]

[insert **one** of the following paragraphs if Rule 21 judgment deals only with liability]

* As the judgment deals with liability only, a notice of hearing to determine remedy will be sent separately

OR

* The hearing listed for will be converted to deal with remedy only.

[insert one of the following paragraphs if Rule 21 judgment deals with only part of claim]

* As the judgment deals only with the complaint of ( ) a notice of hearing to determine the remainder of the claim will be sent separately

OR

* The hearing listed for will be converted to deal with the remainder of the claim, including remedy so far as not already determined.

You have the right to apply for a reconsideration of the judgment. If you wish to make such an application you must do so in writing within 14 days of the date of this letter and copy your application to the other party(ies). Your application must confirm that you have copied the application to the other party(ies) and must say why the judgment requires to be reconsidered. An Employment Judge will decide whether it is necessary in the interests of justice to do so.

**<<es\_>>**