



Ministry  
of Justice

# **Tribunals Statistics Quarterly**

October to December 2013

13th March 2014



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## Executive Summary

This report presents the latest statistics on type and volume of Tribunal cases that are received, disposed of or outstanding as of the third quarter of the financial year 2013/14 (October to December 2013).

### Receipts

- HMCTS tribunals recorded 132,000 receipts in the period October to December 2013. This is 40% lower than the same period of 2012, and the lowest receipts since this statistical series began in 2008/09. This has been driven by reductions in Social Security and Child Support and Employment appeals.

### Disposals

- There were a total of 223,000 cases or claims disposed of in October to December 2013. This represents an increase of 19% on those cases disposed of in the same period in 2012, and is the highest volume of disposals since the start of this statistical series in 2008/09.

### Caseload outstanding

- For all tribunals combined, the caseload outstanding at the end of December 2013 was 844,000, similar to a year earlier but 10% lower than last quarter.

### Timelines

- For Social Security and Child Support Tribunals, in October to December 2013 half of all cases were cleared in 19 weeks or less. For Immigration and Asylum, this was 24 weeks or less, and for Employment Tribunal single claims, it was 22 weeks or less.<sup>1</sup>

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<sup>1</sup> Timeliness differs by Tribunal jurisdiction, which reflects the different processes and types of cases. As such, direct comparisons across different types of Tribunals are difficult and should be treated with caution.

## Introduction

Her Majesty's Courts & Tribunals Service (HMCTS) was created on 1st April 2011. It is an agency of the Ministry of Justice (MoJ) and is responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales and non-devolved tribunals in Scotland and Northern Ireland. Employment Tribunal statistics cover England, Wales and Scotland. For historic publications of all Tribunals Statistics please see:

[www.gov.uk/government/organisations/ministry-of-justice/series/tribunals-statistics](http://www.gov.uk/government/organisations/ministry-of-justice/series/tribunals-statistics)

In this report, total figures are used although users should be aware different Tribunals have been created or joined HMCTS at different points in time. These statistics do not cover the Upper Tier Immigration and Asylum Chamber. A list of tribunals is in Table B.1. Note that this publication does not include data on tribunals not under HMCTS. There is also additional management information on monthly and regional Employment Tribunal Receipts in Annex C.

Further information on HMCTS statistics, including information on the data sources and terminology used in this report can be found in the **Guide to Court and Administrative Justice Statistics**.

[www.gov.uk/government/publications/guide-to-court-and-administrative-justice-statistics](http://www.gov.uk/government/publications/guide-to-court-and-administrative-justice-statistics)

Comparisons are typically made with the same quarter in the previous year. Some time series information is also given. For further information please see the Excel tables that accompany this report. These also contain details of the smaller volume tribunals which are not covered in the text presented here.

In March 2014, we are publishing for the first time, CSV files containing the same data as in the Excel tables, but in a machine readable format. This allows user to conduct their own analysis, and is part of the Ministry of Justice's commitment to open data.

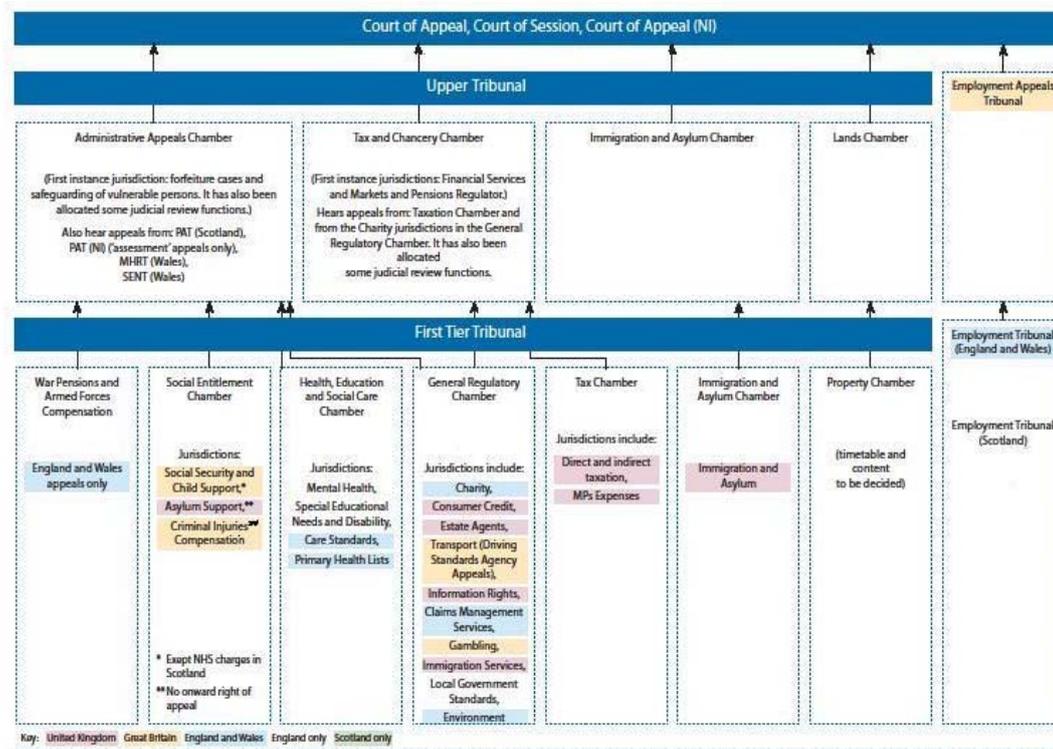
This report focuses on information on receipts (e.g. the acceptance of a case by HMCTS), the outcome of cases by category (e.g. cases disposed of at hearing) and the caseload outstanding for the three largest tribunals (Employment (ET), Immigration and Asylum (IA) and Social Security and Child Support (SSCS). The three largest tribunals account for over 90% of tribunal receipts.

Statistics on the work of the civil, family and magistrates' courts the Crown Court in England and Wales during October to December 2013 will be published by the MoJ on 27<sup>th</sup> March. These quarterly courts statistics,

along with annual statistics, can be found in separate reports on the Gov.uk website, at:

[www.gov.uk/government/collections/court-statistics-quarterly](http://www.gov.uk/government/collections/court-statistics-quarterly)

**Figure 1: First Tier and Upper Tribunal chambers**



The First Tier Tribunal (Property Chamber) is now in existence and comprises:

- Agricultural Land & Drainage
- Land Registration
- Residential Property

For more information on the context for this publication please see:

[www.justice.gov.uk/about/hmcts/tribunals](http://www.justice.gov.uk/about/hmcts/tribunals)

## Employment Tribunals

Fees for Employment Tribunals and the Employment Appeals Tribunal were introduced for claims received on or after 29<sup>th</sup> July 2013, alongside wider reform of procedural rules (following the Underhill Review of Employment Tribunal Rules).

For background information on the reforms please see:

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

[www.gov.uk/government/publications/employment-tribunal-receipt-statistics-management-information-july-to-september-2013](http://www.gov.uk/government/publications/employment-tribunal-receipt-statistics-management-information-july-to-september-2013)

[www.gov.uk/government/consultations/employment-tribunal-rules-review-by-mr-justice-underhill](http://www.gov.uk/government/consultations/employment-tribunal-rules-review-by-mr-justice-underhill)

BIS have also recently published a study on claimants who had been successful at the employment tribunal and were awarded money.

[www.gov.uk/government/publications/payment-of-employment-tribunal-awards](http://www.gov.uk/government/publications/payment-of-employment-tribunal-awards)

## **Social Security and Child Support**

The Department for Work and Pensions (DWP) have carried out analysis on the overturn rates for Employment and Support Allowance (ESA) by region and health condition, for further information see:

[www.gov.uk/government/publications/employment-and-support-allowance-6](http://www.gov.uk/government/publications/employment-and-support-allowance-6)

## **Special Educational Needs and Disability**

[www.justice.gov.uk/publications/corporate-reports/tribunals/send](http://www.justice.gov.uk/publications/corporate-reports/tribunals/send)

[www.gov.uk/government/publications/children-with-special-educational-needs-an-analysis-2013](http://www.gov.uk/government/publications/children-with-special-educational-needs-an-analysis-2013)

## **Scotland Tribunals (non-MoJ)**

[www.mhtscotland.gov.uk/mhts/Annual\\_Reports/Annual\\_Reports\\_main](http://www.mhtscotland.gov.uk/mhts/Annual_Reports/Annual_Reports_main)

[www.asntscotland.gov.uk/asnts/181.25.141.html](http://www.asntscotland.gov.uk/asnts/181.25.141.html)

[www.prhpscotland.gov.uk/prhp/128.html](http://www.prhpscotland.gov.uk/prhp/128.html)

## **Northern Ireland Tribunals (non-MoJ)**

[www.courtsni.gov.uk/en-GB/Services/Statistics%20and%20Research/Pages/default.aspx](http://www.courtsni.gov.uk/en-GB/Services/Statistics%20and%20Research/Pages/default.aspx)

## **Judgements**

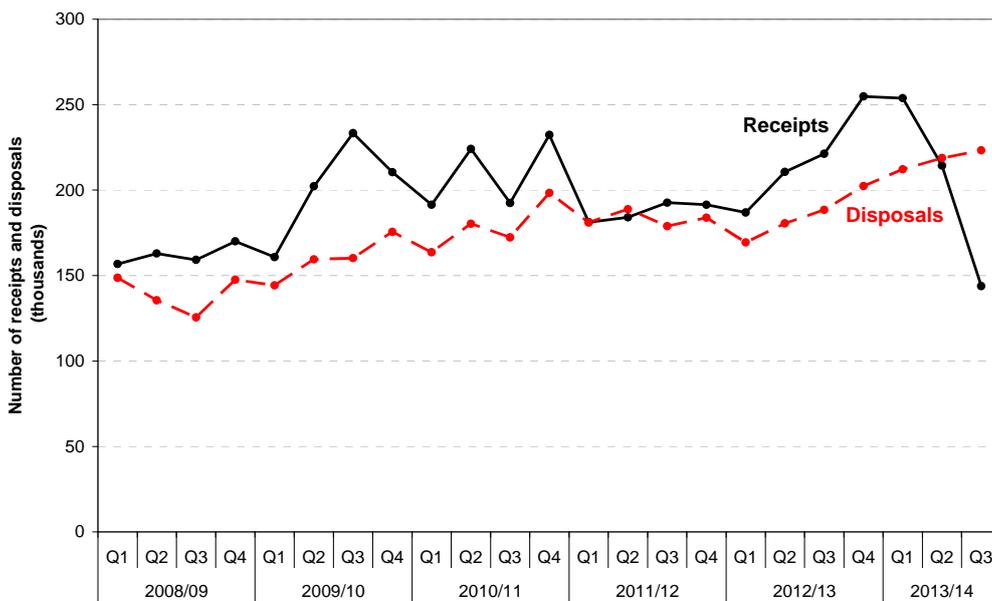
For information on Tribunal judgements: [www.bailii.org/databases.html#uk](http://www.bailii.org/databases.html#uk)

# Receipts

HMCTS Tribunals<sup>2</sup> recorded 132,345 receipts in the period October to December 2013. This is down 38% on the previous quarter, and 40% when compared with the same period of 2012. Over half of these receipts (60%) were in Social Security and Child Support (SSCS), a further 7% were Employment Tribunals (ET) and 19% Immigration and Asylum (IA).

Figure 2 shows trends in both receipts and disposals since Q1 2008/09. Typically the number of receipts has been greater than the number of disposals. This quarter is the third time in five years where HMCTS disposed of more tribunal claims than it received, and is the lowest number of receipts since this statistical series began in 2008/09. Note that these figures are receipts and disposals in the quarter, and receipts in one period are likely to be dealt with in subsequent periods.

**Figure 2: Receipts and disposals for all Tribunals, 2008/09 to 2013/14**



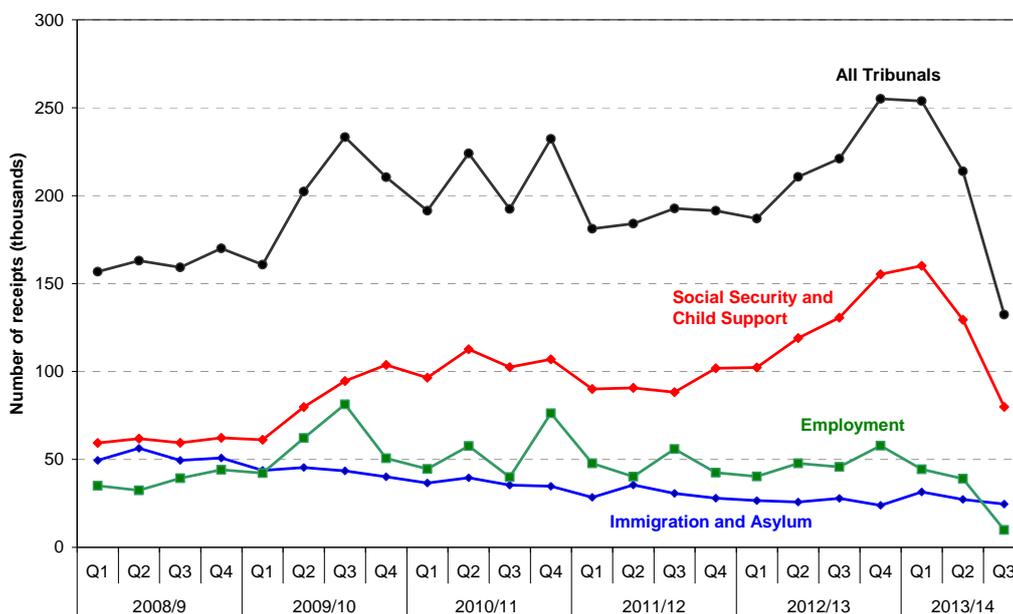
## What has driven this?

Figure 3 illustrates the receipts by the largest jurisdictions. As SSCS comprises over half of receipts, this drives the overall trend. Fewer appeals against decisions made by the DWP were received by the tribunal in October to December 2013 (38% lower than last quarter, and 39% lower than the same period last year).

<sup>2</sup> These statistics do not cover the Upper Tier Immigration and Asylum Chamber

Employment tribunal receipts also decreased, and were 79% lower compared with October to December 2012.

**Figure 3: Tribunal receipts by jurisdiction, 2008/09 to 2013/14**



## Employment Tribunals (Table 1.2)

Claims in employment tribunals can be classified into either single<sup>3</sup> or multiple<sup>4</sup> claims. Single claims are made by a sole employee/worker, relating to alleged breaches of employment rights. Multiple claims are where two or more people bring proceedings arising out of the same facts, usually against a common employer. Both single and multiple claims can involve one or more jurisdictional complaints. Where claims are grouped as multiples, they are processed administratively and managed judicially together. We call these groups of claims 'multiple claims cases'.

A claim (either single or multiple) can be brought under one or more of different jurisdictions, for example under Age Discrimination or Equal Pay. Therefore the number of jurisdictional complaints is always greater than the total tribunal claims accepted. On average in October to December 2013, there were 2.5 jurisdictional complaints per receipt, higher than previous quarters.

<sup>3</sup> A claim may be brought under more than one jurisdiction or subsequently amended or clarified in the course of proceedings, but will be counted as a claim only once.

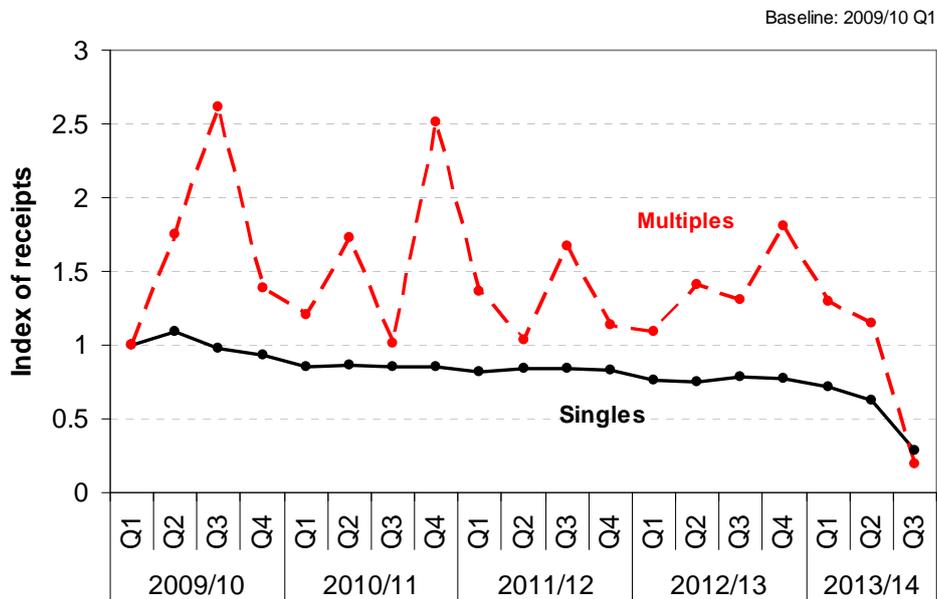
<sup>4</sup> Multiple cases are where two or more people bring claims, involving one or more jurisdiction(s) usually against a single employer but not necessarily so, for instance in Transfer of Undertakings (Protection of Employment) Regulations (TUPE) cases, and always arising out of the same or very similar circumstances. As a multiple, the cases are processed together.

To illustrate these differences please see the case studies in the Guide to Court and Administrative Justice Statistics.

In employment tribunals, the number of claims received in October to December 2013 was 9,801 – 79% fewer than in the same period of 2012, and 75% fewer than last quarter.

The trend in single claims has been declining for the last five years, while the trend in multiple claims is more volatile due to large numbers of claims against a single employer which can skew the national figures and have to be resubmitted each quarter. This is illustrated in Figure 4 below. As the number of single and multiple claims are on such different scales, they have been indexed with a baseline of Q1 2009/10 = 1.

**Figure 4: Index of ET multiple and single claim receipts<sup>5</sup>**



The number of multiple claims cases has been falling over the last few quarters, from around 1,500 in October to December 2012 to around 500 in October to December 2013. This indicates that the volatility in multiple claims is due to the number of people within each claim not the number of cases.

<sup>5</sup> The index compares the number of receipts with the baseline quarter. It shows the trend in single and multiple receipts but does not enable comparisons of the *numbers* of each.

## **Immigration and Asylum<sup>6</sup> (Table 1.3)**

In the period October to December 2013, there were 24,613 Immigration and Asylum receipts; a decrease of 11% when compared with the same period of 2012. This is part of a long term trend of decline since 2008/09 (see Figure 3).

Managed Migration was the only jurisdiction to increase, from 9,217 receipts in October to December 2012, to 15,445 in October to December 2013. Managed Migration appeals are generated by people already in the UK who have been refused permission to extend their stay. This type of case comprised nearly two thirds of all Immigration and Asylum receipts in October to December 2013. This rise is due to a higher level of Home Office decisions on immigration applications. Appeals are expected to continue at this higher level during 2013/14 and will impact on disposals, timeliness and caseload outstanding.

Entry Clearance appeals fell by 51% since the same period last year, and Family Visit Visas by 68%. There have been two changes to Family Visit Visa appeal rights in the last two years. Firstly, the Immigration Appeals (Family Visitor) Regulations 2012 which came into force on 9 July 2012, which restricted the right of appeal to a narrower definition of family visitor<sup>7</sup>. Secondly, the Crime and Courts Act 2013 removed the full right of appeal for family visitors and this change came into effect for new visa applicants on 25 June 2013. A limited right of appeal still remains on Human Rights or Race Discrimination grounds.

## **Social Security and Child Support (Table 1.4)**

In the period October to December 2013 there were 79,865 SSCS receipts; a decrease of 39% when compared with the same period of 2012. In particular, there were decreases of 61% in receipts of Employment Support Allowance (ESA, the largest jurisdiction) and 46% in Disability Living Allowance (DLA) since October to December 2012. However, receipts of appeals against Job Seekers Allowance (JSA) increased by 49%.

Table 1.4 shows Universal Credit (UC)<sup>8</sup> and Personal Independence Payments (PIP)<sup>9</sup> receipts since these started in Q2 2013/14.

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<sup>6</sup> All references to Immigration and Asylum refer to the First-tier Tribunal (Immigration and Asylum Chamber). It is an independent Tribunal dealing with appeals against decisions made by the Home Secretary and Home Office officials in immigration, asylum and nationality matters

<sup>7</sup> [www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2012/june/25-family-visit-visa-appeal](http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2012/june/25-family-visit-visa-appeal)

<sup>8</sup> Universal Credit was introduced on 29 April 2013 in selected areas of Greater Manchester and Cheshire. It will gradually be rolled out to the rest of the UK from October 2013.

## Disposals

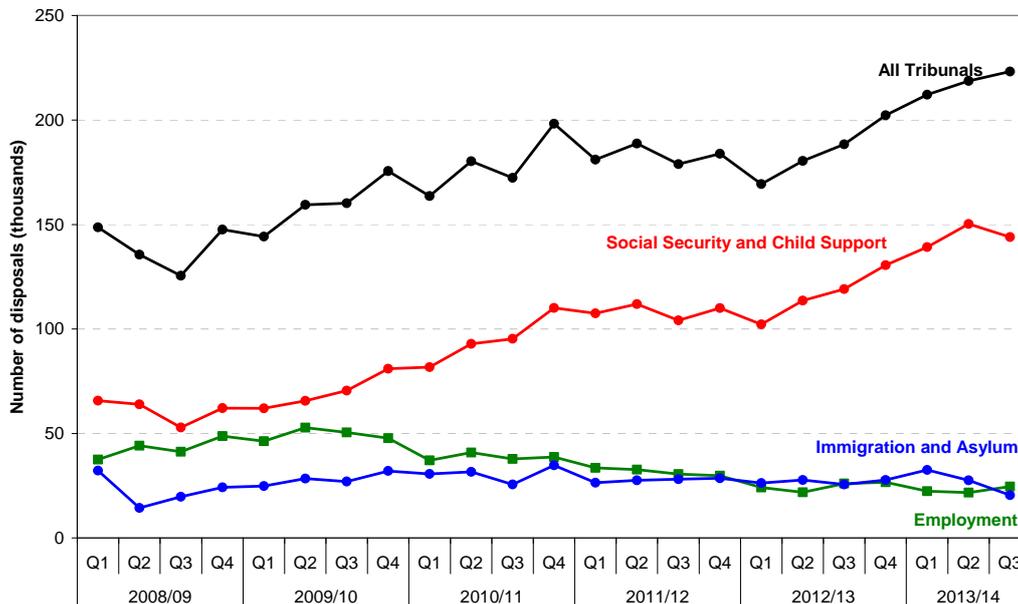
A disposal is the closure of a case when work is complete. This can be through a claim being withdrawn, settled, dismissed or being decided at a hearing (either orally or on paper).

There were a total of 223,246 cases or claims disposed of in October to December 2013. This represents an increase of 19% on those cases disposed of in the same period in 2012, and is the highest volume of disposals in a quarter since the start of this statistical series in 2008/09.

### What has driven this?

Figure 5 shows disposals by the main tribunals. The increase in the number of disposals over the past five years has been driven by SSCS, which accounted for two thirds of all disposals in October to December 2013. Although the number of SSCS disposals was 4% lower than last quarter, it was 21% higher than the same period last year.

**Figure 5: Disposals by Tribunal, 2008/09 to 2013/14**

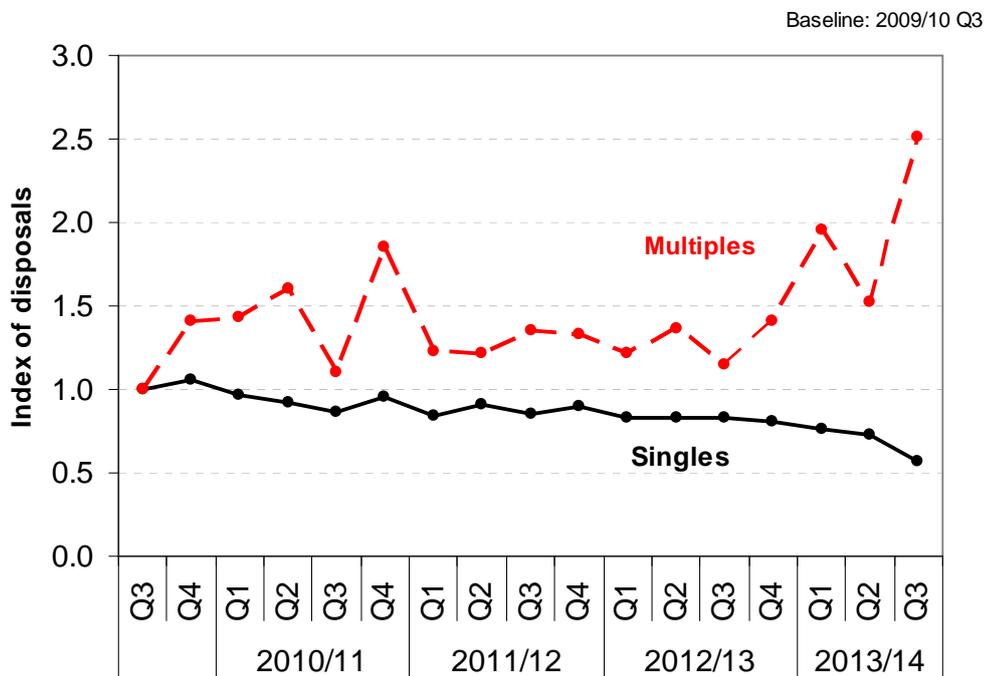


<sup>9</sup> Personal Independence Payment (New Claim Appeals) which replaces Disability Living Allowance was introduced on 8 April 2013.

## Employment Tribunals (Tables 2.1, 2.2 and 2.3)

Employment tribunals disposed of 34,767 claims during October to December 2013, 36% higher than the same period of 2012. While the number of disposals for single claims decreased by 32% the number for multiple claims more than doubled (a 119% increase). The multiple volumes are more volatile, and have been affected by disposals of a few large cases. The 25,125 multiple claims in October to December 2013 actually related to 1,506 multiple claim cases. This is 17 claims per case based on a simple mean, although in reality there is likely to be a large number of smaller cases and a few large cases, such as the Working Time Directive airline cases.

**Figure 6: Index of ET single and multiple disposals**



In October to December, 58,833 jurisdictional claims were disposed of (similar to the same period of the previous year). This means that on average, 1.7 jurisdictions were disposed of per claim, slightly lower than previous quarters.

Of the jurisdictional complaints that were disposed of:

- 27% were for Working Time;
- 16% were for unfair dismissal;
- 13% were for equal pay;
- 11% were associated with discrimination (age, race, sex, sexual orientation, religion or disability)

Three new outcome types came into effect in the second quarter of 2013/14, as a result of the Underhill Review of Employment Tribunal Rules (see Introduction). These were:

- Dismissed Rule 27 – complaints dismissed by an Employment Judge after initial consideration of claim and response<sup>10</sup>.
- Dismissed upon withdrawal – under new rule 52, an employment tribunal shall issue a judgment dismissing a claim where the claimant withdraws it, unless certain criteria are satisfied<sup>11</sup>.
- Case discontinued – this records complaints dismissed under rule 40(1) where a party has not satisfied requirements in respect of paying a tribunal fee or demonstrating a case for remission<sup>12</sup>.

‘Dismissed upon withdrawal’ accounted for nine per cent of all disposals in October to December 2013. ‘Dismissed Rule 27’ and ‘Case Discontinued’ combined accounted for less than one per cent.

## **Immigration and Asylum (Tables 2.4 and 2.5)**

The First-tier Tribunal Immigration and Asylum Chamber (FTTIAC) disposed of 26,580 appeals in October to December 2013, similar to October to December 2012.

Managed Migration accounted for 44% of these, with Entry Clearance Officer and Family Visit Visas accounting for 22% and 23% respectively. Of the 26,580 disposals in October to December 2013, 66% were determined i.e. a decision was made by a judge at a hearing or on the papers; 20% were withdrawn; 9% were invalid or out of time, and 5% were struck out. Rules to allow cases to be struck out<sup>13</sup> were introduced following the introduction of fee charging.

Of the 17,496 cases that were determined between October and December 2013, 56% were dismissed and the remaining 44% were allowed.

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<sup>10</sup> Under Rule 27, an Employment Judge can dismiss a claim, or any part of a claim, if s/he considers that it has no reasonable prospect of success, or that the tribunal has no jurisdiction to hear the claim (or part thereof). This is a new provision introduced on July 29th 2013.

<sup>11</sup> Again, this provision is new to the rules of procedure. Its operation is being monitored through these statistics to monitor impact of the rule.

<sup>12</sup> See footnote [11].

<sup>13</sup> Appeal closed administratively where the fee has not been paid, remitted or exempted.

## **Social Security and Child Support (Tables 2.6 and 2.7)**

Of the 144,000 SSCS cases disposed of in October to December 2013; 64% were for ESA; 14% for JSA and 11% for Disability Living Allowance.

In October to December 2013, 84% of all SSCS cases were cleared at a hearing, slightly higher than last year. Of these the overturn rate<sup>14</sup> was 40%, i.e. 40% had the initial decision revised in favour of the claimant. This has increased from 38% in October to December 2012.

The overturn rate varies by benefit type with 45% of ESA cases, 42% of Disability Living Allowance and 17% of JSA cases that were cleared at hearing having the original decision revised in favour of the claimant.

Table 2.6 shows the first Personal Independence Payments (PIP) disposals. There were eight in October to December 2013 and all of these were disposed before reaching a final hearing.

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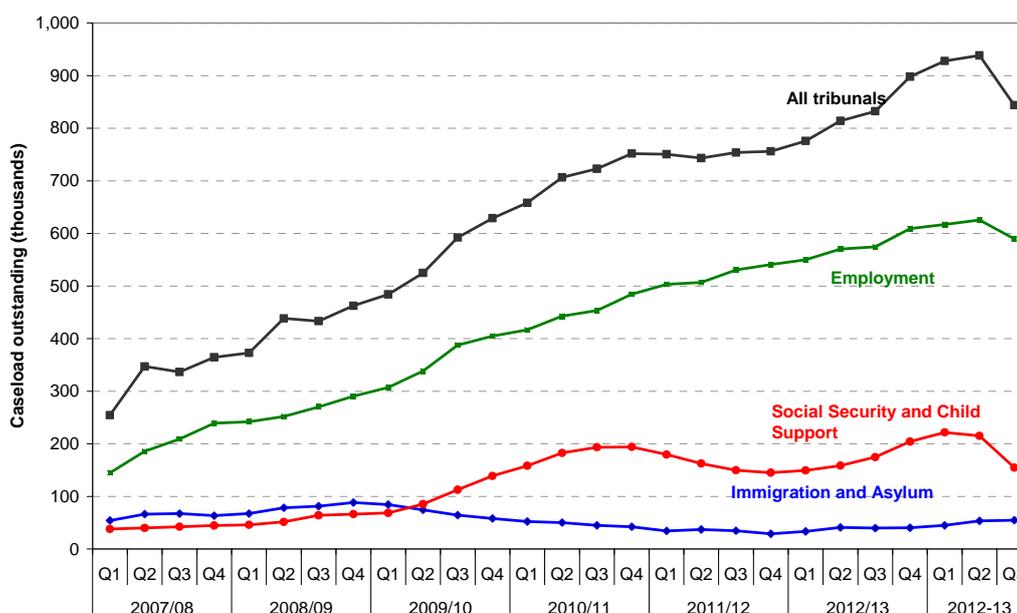
<sup>14</sup> The overturn rate is the rate of decisions by the original body that are reversed

## Caseload Outstanding

At the end of December 2013, the caseload outstanding was 843,705. This is 10% lower than last quarter, but similar to the same period last year (see Figure 7). This is driven by employment tribunal cases.

The published statistics cover receipts, disposals and caseload outstanding in the tribunal service over a specific period of time. Tribunals cover a range of different jurisdictions and work with a number of different live case management databases. The live caseload (caseload outstanding) is based on a snapshot of live cases at a specific point in time, once taken it cannot be revised or revisited. Because of this approach the caseload outstanding is currently based on a snapshot of the caseload on a specific day, and the change is not simply calculated by subtracting receipts and disposals.

**Figure 7: Caseload outstanding at end of December 2013**



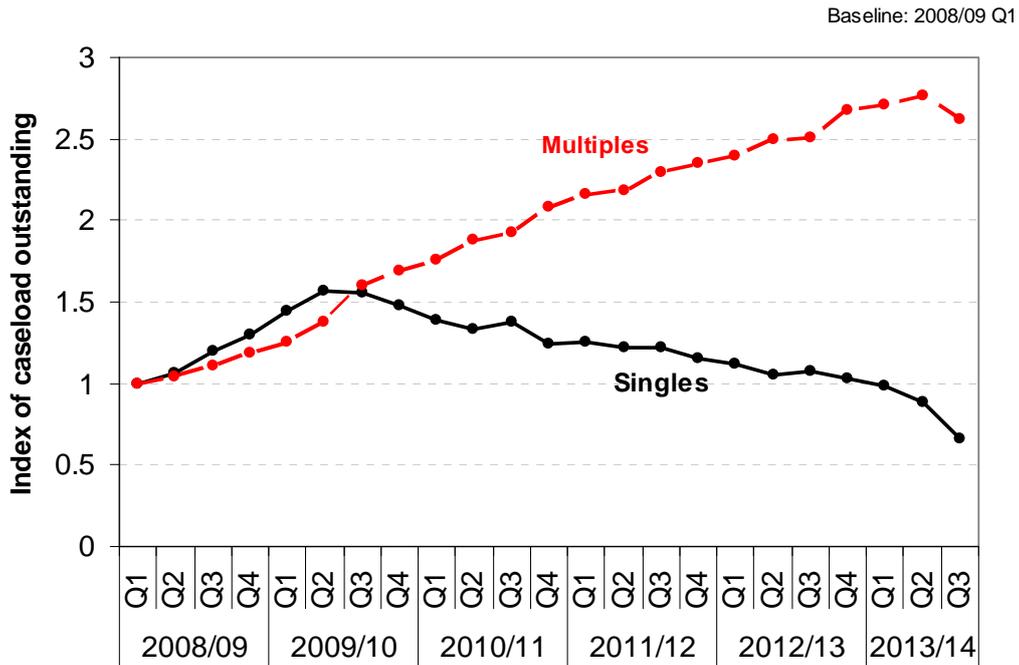
### Caseload Outstanding (Table 3.1)

Immigration and Asylum saw an increase of 38%, related to the increased receipts discussed earlier. However, most (68%) of the outstanding caseload at the end of the quarter related to 'multiple' claims in Employment Tribunals. Multiple claims are often legally and factually complex and it is common for action on such claims to be deferred ('stayed', or 'sisted' in Scotland), for example pending the outcome of proceedings in appellate courts/tribunals on case management or other interim matters. This means that such claims are not yet ready to have a final hearing in the employment tribunal, and so the claim cannot be

progressed to disposal. Resubmitting some large multiple claims on a quarterly basis also skews the data.

Figure 8 clearly shows the increase of multiples since 2008/09; remaining outstanding where previously the vast majority of cases were not stayed. The decrease this quarter is due to the disposal of a large number of airline multiple claims.

**Figure 8: Index of ET single and multiple claims outstanding**



## Timeliness

This section provides information about the operation of tribunals to assist users to assess the efficiency and effectiveness of public services. The timeliness measures generally examine the process from receipt to the point at which the appellant is notified of the outcome of the hearing (or when they are notified of a settlement, withdrawal or strike out). When examining the measures, a number of points should be noted:

- The clearance times (expressed in weeks or years) are highly dependent upon the processes that take place within a tribunal and the type and complexity of a case. In some instances, appeals can be stayed because a judgement is awaited from another body (for example European Courts), or may be legally complex.
- The measures can not be directly compared between one Tribunal and another because of the different processes and very diverse nature and requirements of individual jurisdictions. Thus, it is better to compare a specific Tribunal over time.

The information provided is based on the age (expressed in weeks or years) at which cases were cleared. There are differences by case or tribunal types, please see supplementary tables for more information.

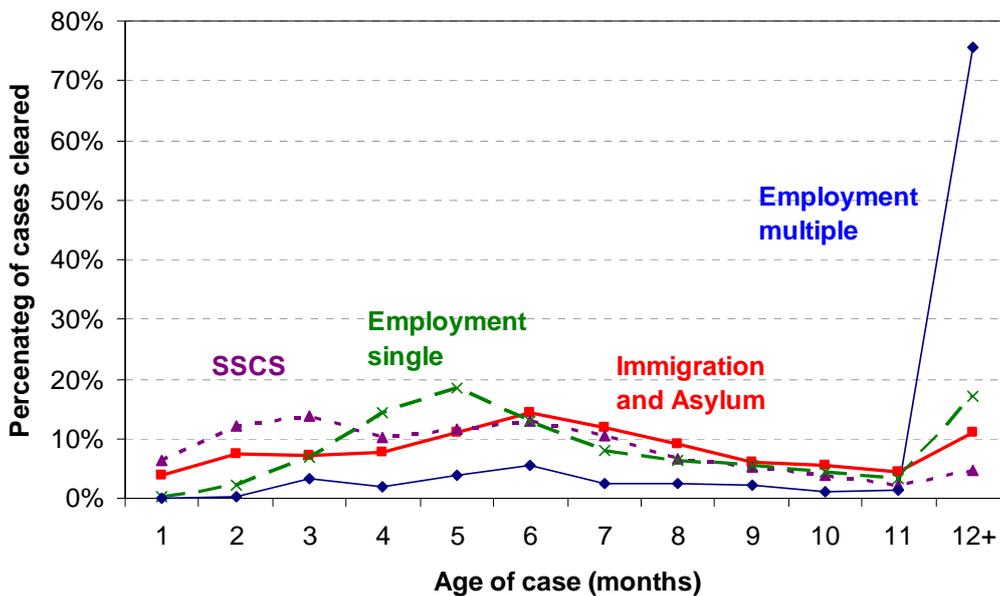
### Summary of Timeliness Measures (Tables 4.1 – 4.3)

The measures examine the age of a case when it is cleared or disposed of and gives the point at which 25%, 50% (the median), and 75% of cases were cleared, along with the average (mean). For example, in Immigration and Asylum, 75% of cases that were cleared in October to December were aged 34 weeks or less.

**Figure 9: Cumulative percentage of clearances in October to December 2013, by age of case at clearance**

<b>Tribunal</b>	<b>25% point</b>	<b>50% point</b>	<b>75% point</b>	<b>Average (mean)</b>
Immigration and Asylum (all)	16 weeks or less	24 weeks or less	34 weeks or less	26 weeks
Employment (single)	16 weeks or less	22 weeks or less	35 weeks or less	31 weeks
Employment (multiple)	47 weeks or less	2-3 years	Over 5 years	179 weeks
SSCS (all)	10 weeks or less	19 weeks or less	27 weeks or less	21 weeks

**Figure 10: Timeliness of tribunal clearances, October to December 2013**



### Employment Tribunals

For Employment Tribunals, the timescale recorded is from the date the claim was accepted by the tribunal to when details of the final judgement are given. The distribution for all ET cases is heavily influenced by the age of multiple cases (which can be stayed or await decisions from Higher Courts). The mean age of a single claim at disposal was 31 weeks, whereas this was 179 weeks for multiple claims. Overall the mean age was 128 weeks, up from 73 weeks in October to December 2012.

Clearances for Employment Tribunals were also examined by broad jurisdictional group. The results for October to December 2013 showed that Equal Pay cases had average of over four years (250 weeks), while National Minimum Wage cases had the shortest average clearance time of 36 weeks.

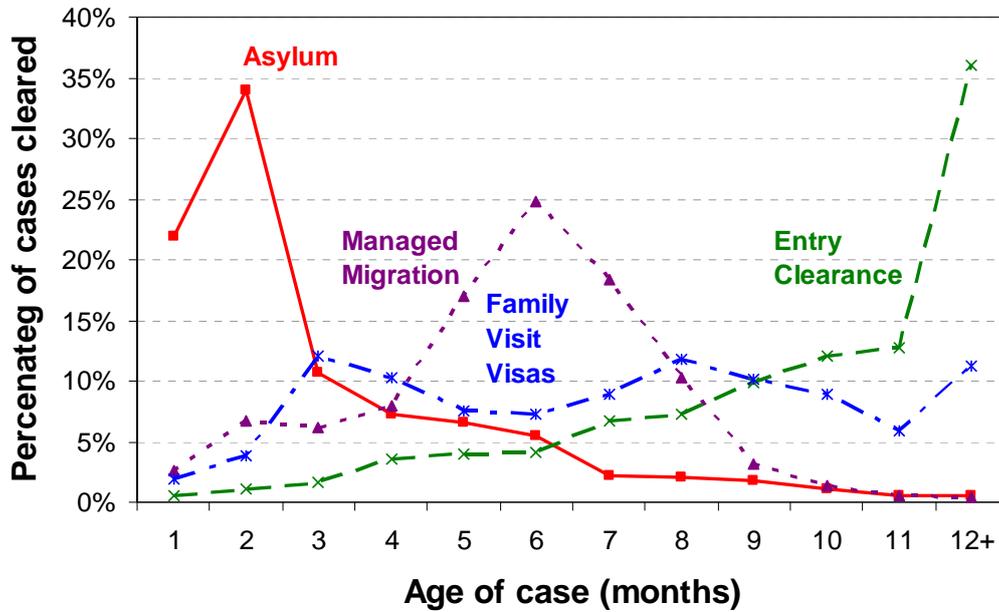
### Immigration and Asylum

The time is recorded from receipt by the tribunal to the time that a decision was notified to the appellant. The mean age of a case at disposal was 26 weeks in October to December 2013, five weeks longer than the same period last year, and mainly due to the large increase in Managed Migration cases discussed earlier.

Variations in clearance times between case types are due to different processing timescales which apply to each of the Immigration and Asylum jurisdictions. For example in October to December 2013, three quarters of Asylum cases are completed in 17 weeks or less, whereas for Entry Clearance Officer appeals it is 47 weeks or less. Figure 11 shows the

distribution of timeliness by jurisdiction. Timeliness will also vary according to disposal method e.g. an appeal struck-out for non-payment will be disposed far quicker than a case determined at hearing.

**Figure 11: Timeliness of Immigration and Asylum Tribunals, October to December 2013**



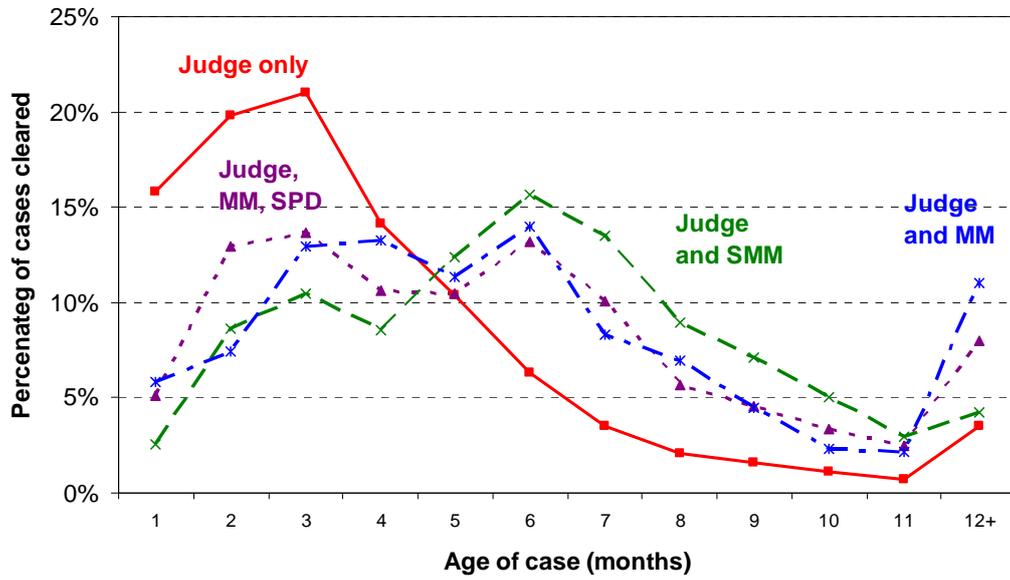
### Social Security and Child Support

For SSCS the time is recorded from receipt by the tribunal to the time that a decision was notified to the appellant.

Of those cases disposed of by SSCS between October and December 2013, the mean age of a case at disposal was 21 weeks, three weeks longer than October to December 2012.

The composition of the Tribunal panel varies for each benefit and there are some differences in length of clearance time for each type of appeal. Those appeals which can be heard by a Judge sitting alone (such as appeals against decisions on Job Seekers' Allowance) take less time to clear than appeals where a panel including specialist Medical, Financial or Disability panel members is required (see Figure 12).

**Figure 12: Timeliness of Social Security Tribunals, October to December 2013**



## Annex A: Data quality and sources

Information presented in this report is management information drawn from a number of different administrative sources. Although care is taken when processing and analysing the data, the details are subject to inaccuracies inherent in any large-scale recording system and it is the best data that is available at the time of publication. HMCTS is examining the quality of management information. Thus, it is possible that some revisions may be issued.

The statistics are based on case management systems where a number of processes are recorded throughout the life of an appeal. In some instances, a case can re-enter the process or have a number of outcomes, meaning that there is not necessarily one receipt or one disposal per case. Thus, care should be taken when comparing receipts and disposals.

Further information on HMCTS and other court statistics, including information on the data sources and terminology used in this report can be found in **A Guide to Court and Administrative Justice Statistics**.

[www.gov.uk/government/publications/guide-to-court-and-administrative-justice-statistics](http://www.gov.uk/government/publications/guide-to-court-and-administrative-justice-statistics)

### Differences with Home Office statistics

Asylum appeals data published by Home Office Migration Statistics are sourced from the Case Information Database (CID) and relate to main asylum applicants at the First-Tier Tribunal Immigration and Asylum Chamber. Records on the database are updated from record-level data provided by HMCTS, who produce similar statistics for main appellants. This procedure provides consistent data across all datasets relating to asylum published in the release Immigration Statistics, but different from those published by The Ministry of Justice.

The Ministry of Justice published statistics provide counts of principal appellants sourced from the HMCTS database. Within these statistics there tend to be higher numbers of principal appellants than main asylum applicant appeals because:

- 1) HMCTS has a wider definition of asylum appeals, including some human rights cases and appeals on extensions of asylum, humanitarian protection and discretionary leave; and
- 2) Principal appellants include some individuals classed as dependants by the Home Office.

The Home Office statistics on immigration and asylum appeals at First-Tier Tribunal and subsequent stages are available from:

[www.gov.uk/government/collections/immigration-statistics-quarterly-release](http://www.gov.uk/government/collections/immigration-statistics-quarterly-release)

## Revisions

All the statistics in this publication have been revised to show unit values rather than the rounded numbers shown previously.

Historic receipt and disposal information for Immigration and Asylum has been revised to include appeals dismissed or withdrawn at the Preliminary Issue stage. This is where an appeal has been submitted outside the prescribed time limit or may be otherwise invalid. Such cases will only proceed to the appeal stage if decided by a Judge. A new disposal category of “Invalid/Out of Time” has been introduced to show appeals dismissed at the Preliminary Issue stage. Cases withdrawn at this stage are included in the “Withdrawn” category.

For 2012/13 a further new outcome category has been introduced for Immigration and Asylum disposals of “Struck Out for Non-Payment”. This is as a result of the introduction of fees for certain Immigration and Asylum appeals introduced in 2011. Some of the historic disposal and outcome data has been revised following this.

Please note data from the fourth quarter of 2012/13 (1 January to 31 March 2013) onwards un-rounded figures have been provided. All previously rounded figures have been revised with the original un-rounded data, except some of the historical judicial sitting days.

## Annex C: Monthly and Regional Employment Tribunal Receipts

This information is additional management information that has been drawn from a live administrative system managed by HMCTS. The figures for this annex are provisional and subject to revision at end of the financial year.

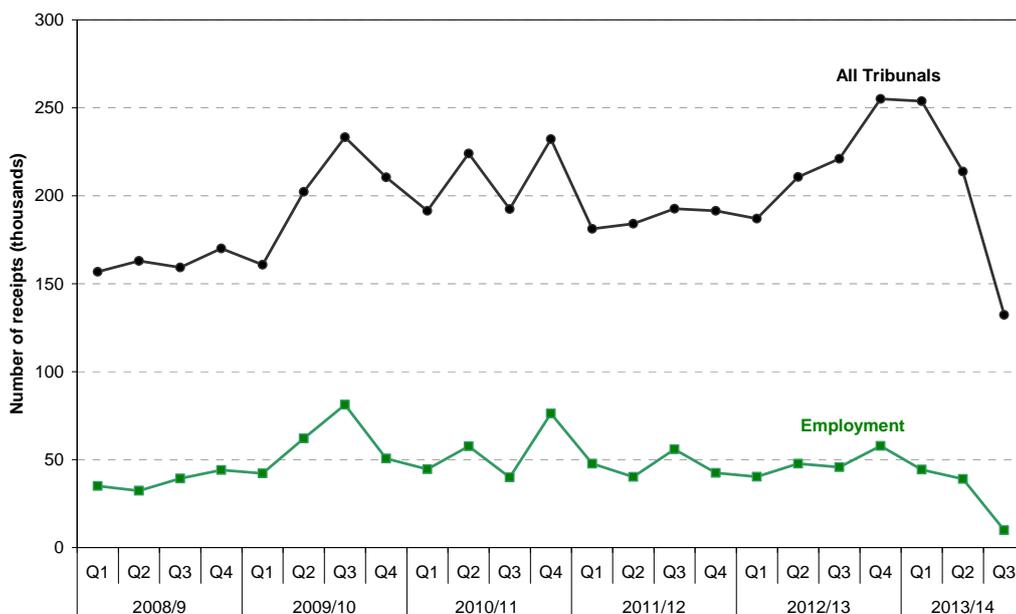
The data presented in this report include historic information at the regional level, with a monthly breakdown. This information was a bespoke extraction for this report. As part of this extraction data for 2013/14 has been revised. Data for 2012/13 has not been revised and this will be done in the next publication for June 2014.

### Trend in Employment Tribunal Receipts

Typically Employment Tribunal receipts account for about a quarter (22% in 2012/2013) of all HMCTS tribunal receipts. In 2012/13 the Employment Tribunal received on average 50,000 new claims per quarter.

Provisional figures for October - December 2013 show there were 9,801 new claims. However this data may be revised at a later date. A fully reconciled revision will be done for the end of 2013/14.

**Figure 1: Employment Tribunal Receipts (quarterly), April 2008 to December 2013**

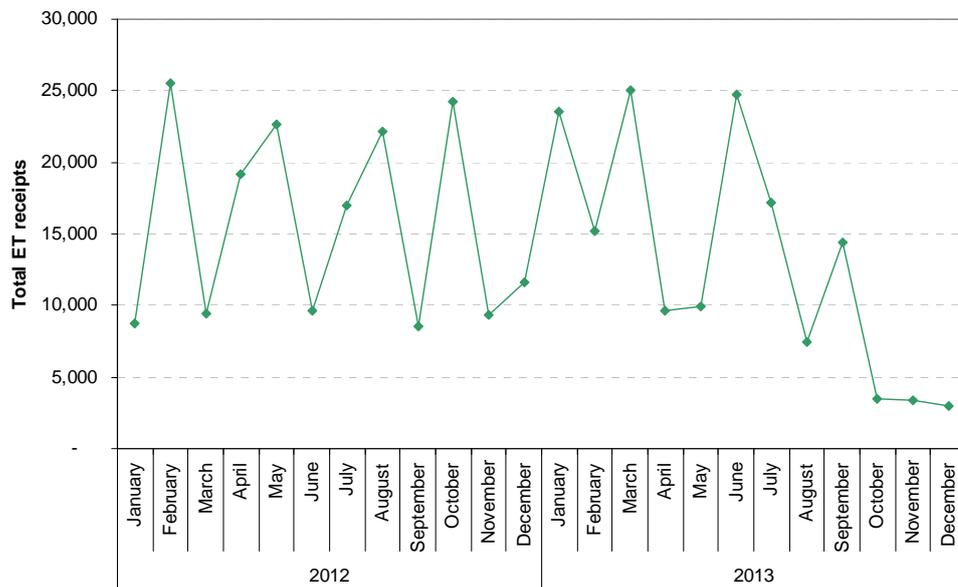


Please note this chart is based on revised data, and is provisional, further revisions will take place in the next edition of Tribunals Statistics Quarterly.

This Annex also includes a monthly breakdown from January 2012 to December 2013 (Figure 2). This shows that the data are volatile and can change dramatically from month to month. Please note these data include single and multiple claims.

Following the introduction of fees on 29th July there are only five months of data available (August to December). Users are advised that a claim is not considered as accepted until the fee is paid, or remission granted, which may increase the time it takes to enter cases onto the system.

**Figure 2: Employment Tribunal Receipts (monthly, January 2012 to December 2013)**



**Single and multiple claims**

Employment Tribunal receipts can be broken down into single and multiple claims. Figure 2 above shows the total number of receipts, but this is not the same as the number of cases (where a number of multiple receipts can be counted as one case as they are bought against one employer<sup>15</sup> by a number of people).

Single cases

A single case and single claim is the same thing, they involve one individual bringing a claim against an employer. In effect the alignment of case to claims is 1:1. Provisional data shows that the number of single cases was volatile from April to October 2012, after October 2012 they began to gradually decrease from nearly 5,000 in October 2012 to just over 4,000 in June 2013. The number rose to nearly 7,000 in July 2013, possibly as more claims were submitted prior to the introduction of fees.

<sup>15</sup> Occasionally, more than one employer can be involved. See footnote 1, above.

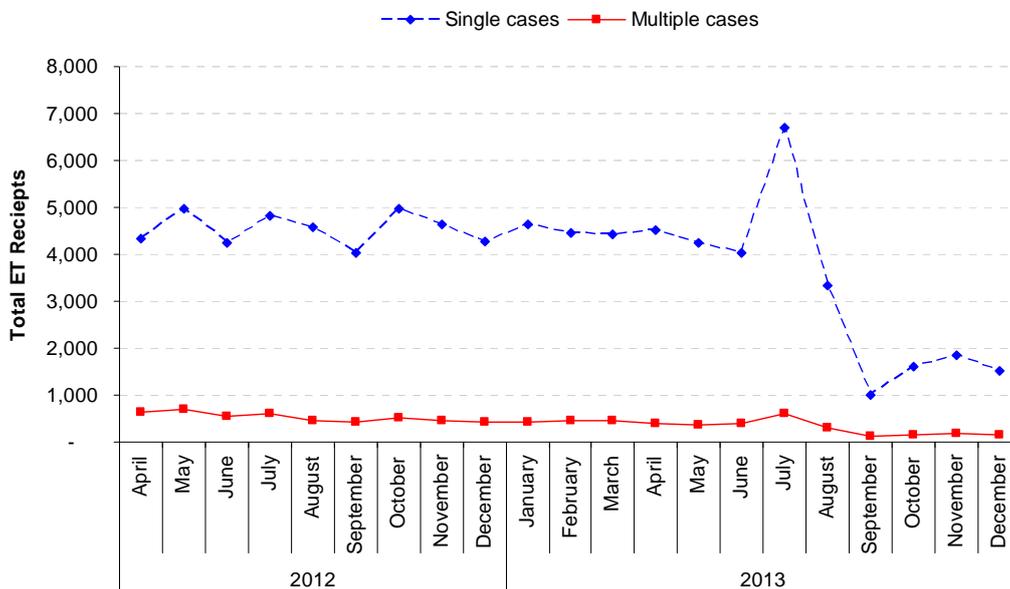
Provisional data shows the number of single cases then fell sharply to only 1,000 cases in September 2013, and averaged around 1,700 cases between October and December 2013.

Multiple claims cases

Multiple claims that are grouped, processed and managed together are called, collectively, a multiple claims case. Within a multiple claims case there will be two or more claims presented by individuals against a common employer (or, in some circumstances, employers). The alignment of case to claims is one to many, where a multiple claims case could range from two individual claims to over 100, or even 1,000. Typically employment receipts show the number of individual *claims*, not cases, which can result in a lot of volatility (see Figure 2).

When looking at the number of multiple claims cases, regardless of the number of individuals involved, there is a broadly flat trend from April 2012 to June 2013. There is an increase in multiple claims cases for July 2013, again possibly due to people wishing to submit cases before the introduction of fees. There is then a decline in cases in August and September 2013 and an average of 160 cases per month in October to December 2013 (see Figure 3).

**Figure 3: Single and multiple claims cases (January 2012 to December 2013)**



As the number of multiple claims cases has been broadly flat for a number of months the volatility seen in the monthly data must be due to the number of people (or claims) involved in each multiple claims case. The volatility seen in the monthly data is due to the variation in the number of individuals involved in multiple claims cases.

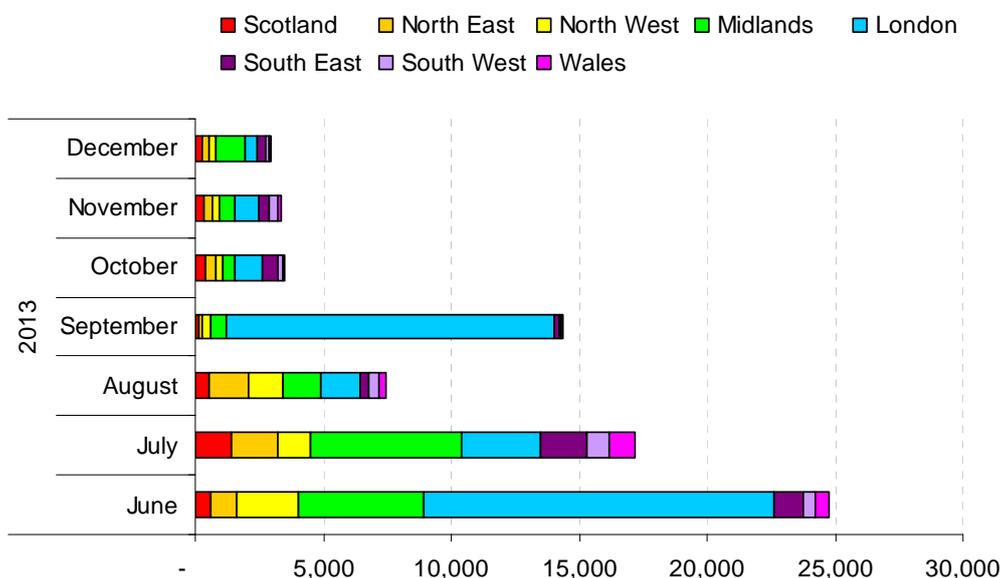
Users are advised that these figures need to be treated with extreme caution for two reasons:

1. All figures after January 2012 have been re-extracted from the administrative data system for this publication. As such these figures have not been through the same Quality Assurance process as the Official Tribunals Statistics publication. Therefore all figures should be treated as provisional and revisions are to be expected in the next official publication on 12 June 2014.
2. Under the business processes to facilitate fee-charging, a claim is not entered onto the internal case management system from which statistical data are extracted until the relevant fee is paid or remission application granted. This means there may be a number of claims presented in post July 2013, but formally accepted at a later stage (for example after a remission application is granted).

### Employment Tribunals claims by region

Claims can be submitted online or to an Employment Tribunal Office. Once a claim is received and acknowledged by HMCTS it is recorded on to the case management system and onwardly case managed through, ultimately, to disposal (for example, by listing for a hearing before the tribunal). The geographical data below relates to where the case was submitted and heard by the Tribunal panel, in most cases this will be the same location as the employer or the party that bought the claim.

**Figure 4: Claims by region (June to December 2013)**



## Data Quality and Limitations

There are a number of issues for users to be aware of when considering these data.

- The monthly data for employment tribunal receipts shows a great deal of volatility. As such the figures should be treated with caution. Early analysis suggests this volatility is driven by the number of individual people involved in multiple claims cases.
- The monthly and regional data have been extracted specifically to produce Annex C, as such it is provisional and subject to revisions when the next edition of Tribunals Statistics Quarterly is published in June 2014.
- The data have been extracted from a live administrative database in March 2014, and as such historic monthly data may aggregate to different figures to those already published. This will be reconciled at a later date.
- The introduction of fees may have resulted in a longer time lag for claims to be entered onto HMCTS' case management system, ETHOS. This is because claims are now not entered onto ETHOS until the fee has been paid or a remission has been granted. This means that data are likely to be revised upward in subsequent months.
- Figures may vary from previously published figures for a number of reasons, including:
  - revision to the administrative system, including claims being entered onto the system outside of the month they were lodged;
  - submission or re-submission of large numbers of multiple claims;
  - multiple claims disbanding and being re-submitted as single claims or vice-versa;
  - claims being re-submitted with a different jurisdictional breakdown and,
  - Additional information received from the tribunals that had not been entered onto the ICT system at the time of extraction.
- The monthly and regional breakdowns in this report are not routine and have been produced specifically for this publication.

## Explanatory Notes

### Notation

The following symbols have been used throughout the tables in this bulletin:

.. = Not applicable

~ = Figures too small to give meaningful calculations

0 = Nil

(r) = Revised data

Spreadsheet files of the tables contained in this document are also available to download along with csv files of historic information.

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General information about the official statistics system of the UK is available from [www.statistics.gov.uk](http://www.statistics.gov.uk)