



I have an Employment Tribunal Judgment but the respondent has not paid

How do I enforce it?

This leaflet explains how you can enforce an unpaid Employment or Employment Appeal Tribunal award, using a High Court Enforcement Officer (HCEO) under the Acas and Employment Tribunal Fast Track.

For details of the other forms of enforcement available, please visit the website www.gov.uk/employment-tribunals/if-you-win-your-case

What is the Acas and Employment Tribunal Fast Track?

The ACAS and Employment Tribunal Fast Track scheme is provided by Registry Trust Ltd. This allows an HCEO to be allocated to your case at the beginning of the enforcement process. The HCEO will, through a solicitor, act on your behalf to apply for your award to be enforced and for a Writ of Control, issue the writ of control and attempt to recover the monies owed to you by the respondent.

Is there a fee for this service?

The only fee to be paid by you will be the court fee to issue the writ of control. The court will add the fee to the amount the respondent already owes. If enforcement is successful you will recover the court fee.

You can get more information about court fees from court staff or the fees leaflet (EX50 – Civil and Family Court Fees), which is available from any County Court hearing centre, or from our website hmctsformfinder.justice.gov.uk

You may not have to pay a fee, or you may get some money off it if you only have a small amount of savings and investments, receive certain benefits or are on a low income. This is sometimes known as ‘fee remission.’

You can apply for help with court and tribunal fees online at www.gov.uk/help-with-court-fees or through the ‘EX160 Apply for help with fees’ form and ‘EX160A – How to apply for help with fees’ guidance.

If enforcement is successful the respondent will be charged enforcement fees and interest as required. If enforcement is unsuccessful you will not be required to pay any enforcement fees.

How do I use the Fast Track scheme?

Enforcement can start as soon as the respondent has defaulted in payment of the award. To start enforcement, complete the form on the next page and send to the Registry Trust Ltd along with the relevant documents. An HCEO will be assigned to your case.

I no longer have the original award – can I still enforce?

A copy of the tribunal award, which can be used as a replacement for the original award, can be obtained, free of charge, by contacting the Employment Tribunal office that dealt with your case.

Can I claim interest on the award?

The Employment Tribunal legislation provides that interest is currently payable at the rate of 8% per annum on unpaid awards.

- If your award relates to a discrimination complaint, then interest on the award starts to accrue from a date 14 days after the date on which the judgment was sent to parties. If the award is unpaid then interest begins to accrue from the day after the date on which the decision was made.
- If your claim was submitted before 29 July 2013 and your award relates to a discrimination complaint, then interest on the award starts to accrue from a date 14 days after the date on which the judgment was sent to parties. If the award is unpaid then interest begins to accrue from the day after the date on which the judgment was sent.
- Interest in Employment Tribunal awards begins to accrue from the calculation date. Details of this date will have been included in the interest order attached to your judgment.

The HCEO will add interest due to you in interest in the application lodged with the court.

In addition, from the date of issue of the High Court Writ interest will be payable at a rate of 8% on the total amount of the award and Tribunal interest.

Where can I find additional information?

The following are some frequently asked questions in relation to the Fast Track scheme which may help with your case:

Q: I have completed and sent the application form — what happens now?

A: Registry Trust will allocate your case to an HCEO on a rota basis.

Once accepted by Registry Trust, you will receive an acknowledgement, and details of the HCEO instructed to enforce the award on your behalf.

The HCEO will contact you about payment of the court fee and once paid, the HCEO will complete the application form to the court for issue of the Writ of Control.

Q: How can I find out how things are progressing?

A: Ring the HCEO's office, and ask the member of staff for a verbal update.

Allow at least 21 days from the date of acknowledgment by the HCEO before contacting the HCEO.

Q: When do I get my money?

A: If all goes well, 14 days or so after the HCEO has recovered your money.

You will receive the amount of your judgment with interest at 8% and costs which will cover your fee.

If the HCEO is unable to recover anything, (because, for example, the respondent company has gone into liquidation), you will not be charged, but you will be liable for the court fee.

If the HCEO recovers only part of the award, you will pay the HCEO's fees in proportion to the amount recovered.

Q: How does the HCEO get paid?

A: The HCEOs fees are paid by the respondent where enforcement is successful. If the HCEO is not successful, they will not get paid, or only a proportion of the fees if enforcement is partially successful.

HCEOs are regulated by the Lord Chancellor. The fees are set out in regulations, and are added to the total amount that is payable by the respondent.

Q: How much will the Fast Track Scheme cost me?

A: If the HCEO is unsuccessful you will have to pay the court fee.

You will be liable for a proportion of the fees if there is partial recovery of the award.

Once you have instructed the HCEO you should no longer have direct contact with the respondent.

If the HCEO takes control of goods to enforce the award, interested third parties may make a claim against the goods.

The HCEO will ask you to agree or dispute the claim to the goods.

If you agree the claim, the goods will be released.

Other goods may be seized by the HCEO to settle the award.

If you fail to respond, the HCEO may apply to court for a hearing to settle the claim.

If you dispute the claim, the third party may apply to the court. If their claim is successful, you may be liable for costs arising from the hearing.

Make sure that you understand your possible liability for costs, before disputing a claim.

Q: If I am unhappy with the service I receive from the HCEO, what can I do?

A: All HCEOs have an internal complaints procedure — write and explain why you are unhappy, so that the HCEO can try to solve the problem.

If you cannot agree, then you can take a complaint to the High Court Enforcement Officers Association by writing to the

The Chairman
High Court Enforcement Officers
Association
Suite S31
Northwich Business Centre,
Meadow Street
Northwich
Cheshire
CW9 5BF

Additionally you can find out more information about making an Employment Tribunal claim on the gov.uk website

Additional information is also available from the High Court Enforcement Officers Association website at www.hceoa.org.uk and from the Registry Trust website at www.registry-trust.org.uk/services



Enforcement form – Acas and Employment Tribunal Fast Track Scheme

This form should only be used to authorise a High Court
Enforcement Officer to enforce your Employment Tribunal
award, by Writ of Control, on your behalf.

The details you give must match those on your Employment Tribunal award.

Your details (the applicant)

1. Tribunal claim number

2. First name(s)

Last name

3. Building and street

Second line of address

Town or city

County (optional)

Postcode

4. Phone number

5. Email address (if you have one)

Solicitor's details (if applicable)

6. First name(s)

Last name

7. Building and street

Second line of address

Town or city

County (optional)

Postcode

8. Reference number

9. Phone number

10. Email address

Respondent's details

11. Name of individual or company

12. Name of company (If applicable)

13. Building and street

Second line of address

Town or city

County (optional)

Postcode

14. Phone number

15. Email address

Information to assist with enforcement

16. Please provide details of any information concerning the respondent that may be useful in the enforcement of your award (such as, trading stock, vehicle details, last known trading address etc.):

I authorise Registry Trust Limited to assign this Employment Tribunal award to a High Court Enforcement Officer and authorise the assigned Officer, under the supervision of a solicitor, to sign form **N471** and obtain a Writ of Control to enforce the award.

Applicant's signature

Print name

Date

Day

Month

Year

What do I do next?

Return your completed form, along with:

- The original or copy of your Employment Tribunal award.
- You will be contacted directly by the HCEO to take payment of the court order fee. Alternatively if you are eligible for a fee remission, please enclose an EX160 form.

You can send your completed application form and requested documents to:

Registry Trust Limited
Acas and Employment Tribunal Enforcement
153–157 Cleveland Street
London
W1T 6QW

or (attachments must be PDF)

email: tribunalfit@registry-trust.org.uk

Phone: 020 7391 7299

Once assigned by Registry Trust Limited a High Court Enforcement Officer will contact you to acknowledge safe receipt of your instructions.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form:

<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>