



Ministry
of Justice

Statistical Notice

Employment Tribunal
Reinstatement and Out of Time
Claims – Provisional
Management Information as at
31 March 2018

14 June 2018

Background

This statistical notice presents provisional management information relating to cases brought to the Employment Tribunal (ET) following the abolition of ET fees on 26 July 2017.

Table 1 provides information on the number of requests for reinstatements, and those accepted or rejected as at 31 March 2018. Table 2 provides information on the number of ET 'out of time' cases accepted or rejected at vetting stage as at 31 March 2018.

The tables provide information specifically on two distinct types of cases:

- Reinstatements – cases which were initially brought during the period of ET fees, but were struck out due to the fee not being paid in the required time. Following the abolition of ET fees these cases are now eligible for reinstatement and eligible individuals have been invited to reinstate their original case.
- 'Out of Time' cases – cases which were not presented during the period of ET fees because the fees acted as a deterrent to the claimant bringing the case to tribunal.

Please note that data for Tables 1 and 2 have been collated manually by each Tribunal Office since November 2017. Any out of time cases brought prior to this time will therefore not have been captured in the data presented in this notice. Note further that data on 'out of time' claims collected to date relates only to pregnancy and maternity discrimination cases. The collection of this management information across other ET jurisdictions is currently under review by HM Courts & Tribunals Service (HMCTS).

Further details on Employment Tribunal statistics, including data on ET fee refunds, are published alongside this management information notice in the *Tribunal and Gender Recognition Statistics Quarterly* bulletin¹.

¹ www.gov.uk/government/collections/tribunals-statistics

Table 1: Employment Tribunal Reinstatements, as at 31 March 2018 (provisional)^{1,2}

	As at 31 March 2018
Reinstatements³	
Claimant confirmed reinstatement not required	12
Cases accepted ⁴	314
Cases rejected at vetting stage	36

1. The figures in these tables have been drawn from a manual return completed by each local Tribunal office and as such are subject to possible inaccuracies with data entry and processing.
2. The collection of management information on future reinstatement and out of time claims (post-March 2018) is currently under review by HMCTS and as such data for future periods may not be available in the format given above.
3. A 'reinstatement' in the context of the table above indicates that the original ET case presented was initially struck out due to non-payment of the associated fee (including hearing fees), but has subsequently been reinstated following the abolition of ET fees.
4. This includes cases originally struck out at the hearing stage which have been accepted and reinstated as at 31 March 2018.

Table 2: 'Out of Time' Claims made to the Employment Tribunal, as at 31 March 2018 (provisional)^{1,2,3}

	As at 31 March 2018
Out of Time Claims^{4, 5}	
Cases accepted	16
Cases rejected at vetting stage	5

1. The figures in these tables have been drawn from a manual return completed by each local Tribunal office and as such are subject to possible inaccuracies with data entry and processing.
2. The collection of management information on future reinstatement and out of time claims (post-March 2018) is currently under review by HMCTS and as such data for future periods may not be available in the format given above.
3. This data has been collated manually by each Tribunal Office since November 2017. Any out of time cases brought prior to this time will therefore not have been captured in this data.
4. An 'out of time' claim represents an Employment Tribunal claim which was not presented during the period of ET fees because the fees acted as a deterrent to the claimant bringing the case to tribunal.
5. Note that data on out of time claims collected to date relates only to pregnancy and maternity discrimination cases. The collection of this management information across other ET jurisdictions is currently under review by HM Courts & Tribunals Service (HMCTS).

Contacts

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General information about the official statistics system of the UK is available from www.statistics.gov.uk

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