



Ministry
of Justice

Statistical Notice

Employment Tribunal Out of
Time Claims – Provisional
Management Information as at
30 June 2018

13 September 2018

Background

This statistical notice presents provisional management information relating to 'out of time' cases brought to the Employment Tribunal (ET) since January 2018.

Table 1 provides information on the number of ET out of time cases accepted or rejected at vetting stage as at 30 June 2018. Table 2 provides the number of jurisdictional complaints relating to the out of time claims brought forward. Please note that as each claim can relate to more than one jurisdictional complaint, therefore figures in Table 2 reconciled to match those in Table 1.

The table provides information specifically on ET out of time cases received during the period from January 2018 to June 2018, where an extension of the time limit was requested. This data has been collated manually by each regional tribunal office since January 2018. Any out of time cases brought prior to this time will therefore not have been captured in the data presented in this notice.

Cases recorded up to 31 March 2018 only include cases where pregnancy or maternity discrimination was the relevant jurisdictional complaint. From the 1st of April, this manual data collection was extended to include all out of time applications to the ET across all jurisdictions.

Information presented in this notice is management information drawn from a manual count of out of time applications to the ET. Although care is taken when processing the data, the details are subject to inaccuracies inherent in any administrative system and it is the best data that is available at the time of publication. It is possible that some revisions may be issued in the future.

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 The Tribunals and gender recognition certificate quarterly statistics can be found here: <https://www.gov.uk/government/collections/tribunals-statistics>.

Table 1: ‘Out of Time’ Claims made to the Employment Tribunal by country, as at 30 June 2018 (provisional)^{1,2}

		Out of Time Claims³			
		England	Wales	Scotland	Total
January to March 2018⁴	Cases accepted	14	-	7	21
	Cases rejected at vetting stage	-	-	-	-
April to June 2018	Cases accepted	39	-	14	53
	Cases rejected at vetting stage	-	-	1	1

1. The figures in these tables have been drawn from a manual return completed by each ET regional office and as such are subject to possible inaccuracies with data entry and processing.
2. This data has been collated manually by each Tribunal Office since January 2018. Any out of time cases brought prior to this time will therefore not have been captured in this data.
3. An ‘out of time’ claim represents an ET claim which was not presented within the allowed time limits. Note that for some of these cases, ET fees may have acted as a deterrent to the claimant bringing the case to tribunal.
4. Note that data on out of time claims collected up to 31 March 2018 related only to pregnancy and maternity discrimination cases. From 1 April 2018, the data collection was extended to include all jurisdictions.

Table 2: ‘Out of Time’ Jurisdictional Complaints made to the Employment Tribunal, as at 30 June 2018 (provisional)^{1,2,3}

Type of Jurisdictional Complaint	January to March 2018 ^{4,5}		April to June 2018	
	Accepted	Rejected	Accepted	Rejected
Equal Pay	-	-	1	-
Disability Discrimination	-	-	9	-
Race Discrimination	-	-	9	-
Sex Discrimination	-	-	3	-
Religious Belief	-	-	2	-
Sexual Orientation	-	-	1	-
Age Discrimination	-	-	6	-
Working Time Regulations	-	-	21	1
Insolvency and Redundancy	-	-	4	-
Unfair Dismissal	-	-	19	1
Breach of Contract	-	-	16	-
Unauthorised Deductions (Wages Act)	-	-	17	-
Maternity/Pregnancy	21	-	4	-
Other	-	-	6	-
Total⁵	21	-	118	2

1. The figures in these tables have been drawn from a manual return completed by each ET regional office and as such are subject to possible inaccuracies with data entry and processing.
2. This data has been collated manually by each Tribunal Office since January 2018. Any out of time cases brought prior to this time will therefore not have been captured in this data.
3. An ‘out of time’ claim represents an ET claim which was not presented within the allowed time limits. Note that for some of these cases, ET fees may have acted as a deterrent to the claimant bringing the case to tribunal.
4. Note that data on out of time claims collected up to 31 March 2018 related only to pregnancy and maternity discrimination cases. From 1 April 2018, the data collection was extended to include all jurisdictions.
5. An ET claim can be brought under one or more different jurisdictions, for example under Age Discrimination and Equal Pay. Therefore, the number of jurisdictional complaints is always greater than or equal to the number of claims received. The figures provided in Table 2 are not comparable or reconcilable to those contained in Table 1 above.

Contacts

Press enquiries on the contents of this notice should be directed to the Ministry of Justice press office:

Tel: 020 3334 3536

Email: newsdesk@justice.gov.uk

Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the Ministry of Justice:

Bridgette Miles

Ministry of Justice
3rd floor
10 South Colonnade,
Canary Wharf, London
E14 4P

Email: cajs@justice.gov.uk

General enquiries about the statistics work of the MoJ can be e-mailed to ESD@justice.gov.uk

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