

filling out the ET1

Reference: Curwen (2017) Employment Tribunal Claims without a Lawyer (Bath: Bath Publishing) pp: 86-91

Section 1

This section is about your personal details and is very straight forward as long as you are very careful and do not make any mistakes, including incorrect spellings, putting the wrong details into the wrong box and ensuring that you keep all the information contained in the box. In fact this is essential for the rest of the form. Just check and then double check everything before you submit the form.

Section 2

This section deals with the respondents details. The respondent will be name of the company or the name of the person you are making the claim against. There can be more than one respondent, for example, if you are bringing a discrimination claim you can make a claim against your employer but also a claim against the individual who you feel discriminated against you. This is sometimes complicated and it might be a good idea to contact us at the Birmingham Peoples Centre and we will be happy to go through this with you. There are a number of advantages and disadvantages in bringing this type of claim and it is important you understand this. Section 2 also requires you to have your ACAS Early Conciliation Certificate Number at hand because you will need to put this into the claim form.

Section 3

This section asks for information about multiple claims. For example a number of people are bringing a similar claim against the same employer. Let's just say for example, a number of people at the company you worked for all got dismissed and you are all bringing claims for unfair dismissal.

Section 4

This section is filled in if the company or person you named as the respondent was not actually your employer. For example, you went for a job interview, you did not get the job and you feel it was because you were discriminated against. If that is the case then you will need to fill out this section.

Section 5

This section is about dates and your employment, for example start and end dates, continuous employment and notice period. It does not matter in this section if you do not know the exact dates because the tribunal would expect your employer to know all of the exact dates. However, if you do know then put them down.

Section 6

This section is all about your pay, your net and gross earnings. Do not include any overtime payments in this section even if you worked regular overtime. The next box deals with your regular take home pay which will include overtime, bonus and commission payments this is your earnings after deductions.

This section also asks whether you were part of the employer's pension scheme and part 6.5 asks about any other benefits that you received, such as company car, telephone or medical insurance. You should try and work out how much each benefit was worth to you in money terms. So for example, the mobile phone was worth £50 a week to you and you have lost this benefit now that you have been unfairly dismissed.

Section 7

If your employment has ended this section wants details of what has happened since, for example have you found another job?

Section 8

This is an important section and we advise that you contact us if you are not sure of anything. This section is asking about the type of claim you are making and to set out more details about your claim. If you do not fill this section out correctly your claim may well be rejected.

You have to tick at least one of the boxes. You can tick multiple boxes, for example you might be claiming unfair dismissal and discrimination on the ground of disability, in which case you tick both the dismissal box and the disability discrimination box. If the type of claim is not listed here then write the type of claim into the big box under the tick boxes. It is very important that you list all of the types of claims because if you miss anything out here it might be very difficult to add it later as that might represent an amendment and that is a tricky business.

The box 8.2 is also very important and you can use a separate piece of paper and add it as an attachment at the end of the form. If you do this then write please see attachment into box 8.2

This box is asking you to outline what happened, where it happened, when it happened and who was involved. Try and be as precise as possible, stick to the facts, name all of the people and try and put down locations and dates of all incidents.

We have some examples and guides on how box 8.2 should be done and these are available in the factsheets section of the Making a Claim to the Employment Tribunal web- page. We have a fact sheet which sets out some guidance on how to fill out box 8.2 entitled ET 1 Box 8.2 Guidance. We also have a factsheet which provides a template of an unfair dismissal example of a particular claim entitled **ET1 Box 8.2 Example**.

Section 9

This section is asking you about what you want if you win your claim. For example you want your job back or you would prefer compensation if you win your claim. If this is the case then 9.2 is asking for how much you want, why you want this and how are you working this figure out. With 9.2 you can change these figures later down the line, at this point it is required so that the respondent has some indication of what you are expecting to gain.

Section 10

If you are making a Protected Disclosure claim, also known as 'whistleblowing', tick the box and the employment tribunal will send a copy of the form to relevant authority. For example if your claim is about pay and you were being paid less than the National Minimum Wage then the staff at the tribunal office would send a copy of your form to the HMRC. They might start their own investigation into the conduct of your employer.

Section 11

Put in the details of your representative here. This does not have to be a lawyer, it could be anyone representing you: your mum, your dad, the next door neighbour, the Butcher down the road. The important thing to note here is that if you enter any details into this section all correspondence related to your claim will be sent to this person and they will be expected to act on your behalf, this might include representation at the hearing. If you do not have or want a representative then leave this section blank.

Section 12

If you have a disability enter details of it here and the tribunal will make adjustments for you when you attend the offices. For example you may need documents in Braille.

Section 13

Extra space for additional respondents

Section 14

Confirmation that you have checked everything, remember do not tick this until you are sure that everything you wanted to include is included and that it is all correct.

Section 15

This section is asking you for any additional information if there are any procedural problems with your claim. For example if your claim is out of time what are the reasons for this, if you do not have a ACAS Certificate Number why is this and so on.



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Putting People First

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