

Employment tribunal claims soar after fee removal

In the know

The Ministry of Justice has released figures that the employment law world had been waiting for with baited breath; the statistics showing the effect of the removal of Employment Tribunal fees on claims. Not surprisingly, claim numbers have increased. Here, we take a look at the most recent numbers.

Fees abolished in July 2017

- For a four year period starting in July 2013, anyone taking their employer to Employment Tribunal had to pay a fee unless they met certain qualifying criteria in which case the fee would be waived or part waived;
- The system was abolished in July 2017 after the Supreme Court ruled that the Government had acted unlawfully by imposing it;
- The imposition of fees had a significant effect on the number of claims made - there was an immediate drop;
- Overall, 80% fewer claims were made;
- 90% fewer discrimination claims were made.

New figures show dramatic increase

- The new statistics, covering July 2017-September 2017, show a significant hike in the number of claims made;
- 120% more claims were made in the quarter immediately after the abolition of fees compared with the quarter immediately before;
- 64% more claims were made in July 2017-September 2017 when compared with the same quarter in 2016.

Month on month comparison

- In July, 1,358 single claims were brought (fee regime in place until 26th July);
- In August (first month following fee removal), 3,045 single claims were made;
- In September – 2,639 single claims were made.

Specific claim comparison

- The following statistics show how numbers of specific claims have increased when compared with July-September 2016;
- *Unfair dismissal*: over 4,300 claims made in July-September 2017 showing a 41.8% increase;
- *Breach of contract*: over 3,000 claims made in July-September 2017 showing a 57.5% increase;
- *Equal pay*: over 9,300 claims made in July-September 2017 showing a 274% increase;
- *National minimum wage*: 130% increase in claims made in July-September 2017;
- *Failure to inform and consult during redundancy*: nearly 1,000 claims were made in July-September 2017 showing a 119% increase;
- *Unauthorised deductions from wages*: over 5,500 claims were made in July-September 2017 showing a 179% increase.

The content of this briefing is correct at the time of publishing.

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